



CITY COUNCIL
Regular Meeting – September 12, 2016 6:00 p.m.
Council Chambers

PROCLAMTIONS

- ◆ Chamber of Commerce Week, Ann Upthegrove-Vore

- I. CALL TO ORDER
- II. ROLL CALL
- III. PLEDGE AND PRAYER/MOMENT OF SILENCE – Council Member Jarvis
- IV. APPROVAL OF AGENDA
- V. APPROVAL OF MINUTES
 - A. August 8, 2016 Regular Meeting
 - B. August 15, 2016 Work Session
 - C. August 22, 2016 Regular Meeting
- VI. PRESCHEDULED PRESENTER
 - A. Gail Simpson, Interfaith Hospitality Network
- VII. ORDINANCES, RESOLUTIONS AND PUDS
 - A. Ordinance 16-19 PUD 16-1 Cottages at Beavercreek (Third Reading)
 - B. Ordinance 16-20 PUD 16-2 Creekstone (Second Reading)
 - C. Ordinance 16-21 Keeping of Chickens in Residential Districts (First Reading)
- VIII. DECISION ITEMS
 - A. Motion to Appoint Clerk of Council as designee for Public Records Training
 - B. Board/Commission Appointments
- IX. CITY MANAGER'S REPORT
- X. MAYOR'S REPORT
- XI. COUNCIL TIME
- XII. CITIZEN COMMENTS
- XIII. EXECUTIVE SESSION
- XIV. ADJOURNMENT

BEAVERCREEK CITY COUNCIL
REGULAR MEETING August 8, 2016 6:00 p.m.

CALL TO ORDER

Mayor Stone called the meeting to order followed by roll call.

PRESENT: Council Member Jarvis, Council Member Litteral, Council Member Upton, Council Member Wallace, Council Member Whilding, Vice Mayor Vann, Mayor Stone

ABSENT: None

ALSO IN ATTENDANCE: Jessica Brockman, Legal Counsel; Dennis Evers, Chief of Police; Theresa Hathaway, Fiscal Officer; Bill Kucera, Financial Administrative Services Director; Dianne Lampton, Clerk of Council; Jeff McGrath, Planning & Zoning Director; Nick Smith, Assistant City Engineer; Mike Thonnerieux, Public Administrative Services Director

PLEDGE

Mayor Stone led the pledge and a prayer.

APPROVAL OF AGENDA

Council Member Litteral MOVED to approve the agenda, seconded by Vice Mayor Vann. Motion PASSED by majority voice vote.

APPROVAL OF MINUTES

Council Member Litteral MOVED to approve the minutes of the July 11, 2016 Regular Meeting, seconded by Council Member Wallace. Motion PASSED by majority voice vote.

(Abstained – Jarvis)

Council Member Wallace MOVED to approve the minutes of the July 25, 2016 Regular Meeting, seconded by Council Member Whilding. Motion PASSED by majority voice vote. (Abstained – Upton, Vann)

PRE-SCHEDULED PRESENTER

2015 Audit Review, Greg Hughes, Plattenburg and Associates Inc.

Mr. Hughes explained he was reviewing a single audit including federal programs for calendar year 2015. He said it was a very good report. He explained the report was based on the audit of financial statements and compliance items or internal control items related specifically to the financial audit. He said they did not identify

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any deficiencies in the internal control that they considered to be material weaknesses which meant they are as they should be. He said the results of their tests disclosed no instances of noncompliance or other matters that are required to be reported. He said the audit is not designed to go into all the laws and all the compliance areas but ones connected to the financial statements were right where they needed to be. He explained related to the federal programs the city complied in all material respects with the compliance requirements on each of its major federal programs. He said this was a clean audit.

Council Member Wallace asked if Mr. Hughes identified where the city could improve. Mr. Hughes explained the audit is not designed to indicate if it is perfect or not. He said you cannot look at every transaction because it would be too expensive and time consuming. He said they look at the critical items.

Council Member Upton asked how long Plattenburg had been auditing Beaver creek. Mr. Hughes said approximately 25 non-consecutive years. Council Member Upton asked where the city compared against other cities. Mr. Hughes said in the Dayton area in the top 10-15%.

Mr. Kucera said the City had received notification of the Ohio State Auditor Award with Distinction which the City has now received four out of the last five years. He said only 5% of the entities audited in the State of Ohio receive this.

PUBLIC HEARING – PUD 16-1 Cottages at Beaver creek

Clerk Lampton read an application filed by Charles Simms Development, 2785 Orchard Run Road, Dayton, Ohio 45449. The applicant requests rezoning and concept plan approval of 20.03 acres from A-1 Agricultural District to R-PUD 16-1 Residential Planned Unit Development for 94 multi-family residential units to be known as The Cottages of Beaver creek. The property is located on the east side of County Line Road approximately 700 feet south of the intersection of County Line Road and Weber Drive. The property is further described as Book 3, Page 3, Parcel 72 on the Greene County Property Tax Atlas.

Applicant Presentation

Charlie Simms, 2785 Orchard Run Road, Dayton, Ohio

Mr. Simms said this would be their third community in Beaver creek. He explained the Planning Commission had approved this be a medium density for 5.5 units per acre. He said staff had indicated they would like an empty nester type community. He said the plan is 4.5 units per acre with ranch style floor plans. He explained the Planning Commission gave them several directives at the first meeting. The developer met with the neighbors and made changes to the site plan that was not even on the table yet. He said based on the conversations with the neighbors they

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made adjustment to the plans. He was available to answers any questions after the public hearing.

Staff Presentation

Mr. Burkett summarized the staff report dated August 4, 2016 which stated the applicant is requesting to rezone 20 acres from A-1 to R-PUD to allow for the construction of 90 unites of medium density residential. He discussed the location of the property, the Land Use Plan designation for the property under discussion and the surrounding properties' designations, the proposed uses, the proposed concept plant, the access points, buffers and several conditions listed. Staff and Planning Commission recommend approval of the applicant's request.

Public Input

Christopher Zeller 4336 Straight Arrow Rd, Beaver creek, Ohio

Mr. Zeller explained he bought his condo at the peak of the bubble in 2007. He said if he sold it today he would be roughly \$25,000 under water based on his appraised value and real estate fees. He said the benefit of today's housing market is interest rates are at record lows, prices are high and new homes will sell with a commanding price. He said Mr. Simms stated his new homes would sell for \$130 per square foot. Mr. Zeller stated he would be lucky to sell his home for \$90 per square foot; he purchased it originally for \$115 per square foot. He said increasing supply would only hurt individuals like himself and other consumers. He questioned how likely a neighboring community could sell homes for \$130 per square foot when their homes have devalued so much. He said this is a risk for foreclosure and the new community and a real risk for further foreclosures in his community. He is fortunate to rent his condo but others are not so lucky. He asked if it was bad to leave a 20 acre field alone and undeveloped. He said part Beaver creek's allure is not stacking homes on each other. He asked to reconsider and protect the consumer.

Brian Daniels, 4358 Straight Arrow Rd, Beaver creek, Ohio

Mr. Daniels stated he was the president of the condo association. He explained he had attended all of the Planning Commission meetings relative to this topic. He pointed out, in his opinion, the Planning Commission acted biasedly in favor of the developer and against the current residents. He said they had their concerns, opinions and was asked to meet with the developer to share their opinions and reach a compromise. He said at the subsequent Planning Commission meeting, the residents we given no opportunity to express their opinion of the outcome of that meeting that the Planning Commission had asked them to participate in. He said the Planning Commission gave the developer unfettered access to express his concerns, views and opinions and suppressed all the owners from sharing in the outcome of that meeting. He said the process up to this point has been very

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biased in favor of the developer and has suppressed the opinions of the owner. He said the current homeowners had safety concerns regarding the intersection of Quill and Straight Arrow. He said this was the only entrance into Cinnamon Ridge and by making the secondary entrance from the Cottages dump into this intersection you are diverting traffic from two condominium complexes into one very small intersection which is currently a stop sign. He stated this is also a bus stop. He said there has been nothing done for both the safety concerns and the traffic congestion concerns. He said Mr. Simms eluded that traffic was not considered an issue but there are already traffic problems at that little portion of Straight Arrow Road. He said this was brushed off and ignored. He said they are the residents, they go through this intersection multiple times per day and see the traffic problems and now the city want to double the traffic through that intersection. He requested Council reconsider and further evaluate as he did not think this was a good plan. He said when this was presented the owners to the north it was requested there not be a primary access to Quill Road to the north and only be an emergency access. He said this is their only access to their complex. He said they had requested the same and were denied, brushed off and ignored. He said the reason given was there was a stop light on Straight Arrow and the Cottages of Beavercreek need to have access to a stop light. He said traffic wasn't a concern when it was coming on Straight Arrow but when they wanted to make that an emergency access and the only way they could get in and out was on County Line now all of a sudden traffic was a concern and that was the reason why they could not have an emergency access to the south. He said this was one of the examples of why he thought they were treated biasedly. He said he was very concerned of how close the complexes are and will become a financial burden to Cinnamon Ridge when they try to use their resources not available to the Cottages.

Mae Giehl, 4456 Straight Arrow Road, Beavercreek, Ohio

Ms. Giehl explained there are three houses that did not have the 50 foot set back but instead was 25 feet and the large retention pond is there. She said Mr. Simms thought he could get the pond setback and was very concerned that it is only 25 feet from her line along with the other two houses. She learned also that if they put the road there, if something were to happen to the house there they could never rebuild because of the footprint ten feet from the house. She said she did not know of anywhere else in Beavercreek where they have high density, high density, high density; she said they have new apartments still going in, Cinnamon Ridge and now they want to dump this on them. She said surely something could be done to at least alleviate a little bit for them.

Sean Simmons, 4282 Weber Drive, Beavercreek, Ohio

Mr. Simmons said there are concerns with the impact on the real estate market. He said there have been four people since this news came out that have either

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sold or actively selling their house. He is concerned about continuing to be able to rent out his condo and has experienced a loss in property value. He said some of the concessions were met as a result of meeting with the developer but there is a lot of concern and the preference would be to leave it as an open field. He explained seeing the open field was why he stayed in this area.

The public hearing was closed.

Council Input

Council Member Upton questioned if the greenery at the back of the property would remain or if it would be knocked down and replaced. Mr. Simms explained this was the park land dedication and would be left the way it is.

Council Member Litteral questioned if there was a way to address the concerns of the intersection with the additional traffic. Mr. Burkett explained the engineering was working with the City of Kettering to get a left turn arrow at the light to help with people coming out of Straight Arrow competing with people turning right out of Research Park. He said there would be a slight increase in traffic with the additional 90 units.

Council Member Litteral asked for someone to address the house with the 25 foot buffer and the retention pond. Mr. Burkett explained it is typical to allow the retention ponds to be within the 50 foot buffer area whenever there is a commercial or any other development. He said there was a concern the house would be too close to the right-of-way which already exists so that will not be an additional dedication should this be approved. Council Member Litteral asked for information if the house is taken down. Mr. Burkett explained if it is a nonconforming structure and the owner wants to use the existing footprint they could work with them. He said typically the code states 60% or more destroyed but staff would work with that on a case by case basis.

Council Member Wallace asked if the pond would be wet or dry. Mr. Burkett said it was currently a retention pond and at the specific site plan stage there would be a condition for fountains and aeration.

Council Member Wallace commented that the City of Beavercreek cannot prevent a person from selling their land. She said the City can zone it and look at conditions based on what they want to build there. She explained if a person decides to sell farm land there is nothing any city can do to prevent this. She said for the people who commented about liking the green space, she appreciates that you have enjoyed it but the city can't prevent that from changing. She said if the City of Beavercreek owned the property, it would be a different issue. She wanted the

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public to understand that as people sell their farms the City cannot prevent them from selling it to those who want to develop it.

Council Member Jarvis questioned the densities on the north and south side. Mr. Burkett replied Heppa is 10.3 units per acre, Stonegate Commons is 9.6 units per acre, Stonegate II is 4.2 units per acre and Cinnamon Ridge is 6.96 units per acre. Council Member Jarvis confirmed the Cottages was less dense than almost all of them. He questioned condition 10. E. and asked if the fire department had been contacted about it. Mr. Burkett said the design detail comes at the specific site plan stage. He explained there was a tree that some of the neighbors would like to save even though it was dying. He said they were questioning if the access could curve around the tree. He said they wanted it noted at this stage to make sure it would be addressed at the specific site plan stage. He said condition 10G questioned where the construction traffic would access the area. Mr. Burkett replied they would build the construction road off of County Line Road.

Council Member Whilding said he appreciates the applicants work. He agreed with comments from the residents and with Council Member Wallace's comments. He said the land owner is entitled to do what they want. His concern is the access. He said they are always trying to connect the communities to give them multiple access points. He would like to have not only the fire department but also the police department to evaluate the two emergency access points and determine as to whether or not one of them should be a road. He felt there are serious security problems with doing developments like this and not having multiple points out.

Mayor Stone stated Council was at the zoning stage and the discussion tonight was not part of zoning. He said most of this discussion would be part of the specific site plan. He explained the next meeting would be the second reading which would include a public hearing. He said the only action tonight would be to move this to the second and third reading and there would be no need to add anything until the third reading. He believed the roads needed to be looked at but this was not something that needed to be done this night as this would be addressed when they review the specific site plan.

Vice Mayor Vann asked for clarification as to how many units would be built. Mr. Simms replied 90. She asked if the open space would connect to Cinnamon Ridge Park. Mr. Simms replied yes. Vice Mayor Vann said they need a traffic study because she was worried about the buses and access. She was not sure if it was appropriate to ask now with the rezoning or if this request would come at the specific site plan stage.

Mayor Stone said Council was giving the developer and staff their thoughts so they

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could be prepared.

Council Member Whilding questioned the retention pond within the buffer when it is a commercial property. Mr. Burkett clarified when there is commercial abutting residential and a 50 foot buffer exists it is allowed to put the retention pond within the buffer. He said it is the same with multi-family abutting single family. Council Member Whilding questioned the maximum allowed within the 50 foot buffer. Mr. Burkett explained there is a list in the planning code of what you can do within a 50 foot buffer. Mayor Stone asked the developer if the image of the water is a high water mark. Mr. Simms said he could not answer the question because the engineering studies were underway currently. He said they would probably do some buffering in that area with some trees. He said the plan is to make it look very nice and enhance things. Mayor Stone suggested to Council to research on their own and possibly add an additional condition at the third reading. Council Member Whilding said he had heard stories of developers building the embankment up to accommodate the need of the pond. He said if the pond is raised too far he was concerned of its ability to hold.

Council Member Wallace asked Mr. Burkett to define R-PUD (Residential Planned Unit Development) for the public and the controls the City can place on a PUD versus straight zoning. Mr. Burkett explained with a straight zoning like R-1A, it comes with a list of set regulations on no ability to have input or control on the design. He said the R-PUD allows the city to ask for extra enhancements with landscaping, building materials and gives the city some creative control and input of the design of both the architecture and the site of the plans.

Council Member Whilding MOVED to amend Section II by adding condition 11 stating at the specific site plan, the Beavercreek Police Department and Beavercreek Fire Department analyze the two northern access points of this PUD.

Council Member Upton questioned if the rezoning is approved and this development does not happen, and another applicant comes forward in the future if the new applicant would be held to this condition. Mr. McGrath explained with a PUD, anything other than this plan would have to come back for rezoning and the reason why the first condition is always adopting a concept plan at zoning.

Council Member Jarvis seconded the motion.

Vice Mayor Vann asked at the specific site plan, if this request would be done automatically because every development is analyzed by both the police and fire departments and the health district before they are approved. She asked if this was just repeating what normal procedures were or did they need this motion.

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Mr. McGrath said in this case this is procedure but it would be important to do now to give the residents the idea these two access points have to be analyzed further before it is set in stone to be emergency access. He said the concept plan shows them as emergency access points. He said this would give staff more room to work with the fire department to be sure the issues have been addressed.

Vice Mayor Vann said there are probably going to be more traffic issues with the bus and amount of traffic. Mr. McGrath said he would speak more with engineering regarding the traffic and would report on that at the specific site plan which is typically where this is addressed and the process.

Motion PASSED by majority voice vote.

Ordinance 16-19 (First Reading)

Council Member Upton MOVED to approve Ordinance 16-19 as amended and move to the second and third readings, seconded by Council Member Whilding. Motion PASSED by majority voice vote.

ORDINANCES, RESOLUTIONS AND PUDS

Ordinance 16-12 BAN for Not To Exceed \$1.5 million for Lofino Renovation (Third Reading)

Clerk Lampton read an Ordinance providing for the issuance of not to exceed \$1,500,000 building improvement bond anticipation notes by the City of Beavercreek, Ohio in anticipation of the issuance of bonds.

Council Member Upton MOVED to approve Ordinance 16-12, seconded by Council Member Wallace. Motion PASSED by a roll call vote of 7-0.

Ordinance 16-14 Re-issue of \$325,000 for Traditions of Beavercreek Assessment Project (Third Reading)

Clerk Lampton read an Ordinance providing for the issuance of not to exceed \$325,000 road improvement special assessment bond anticipation notes (Traditions at Beavercreek Project), first (2016) renewal by the City of Beavercreek, Ohio in anticipation of the issuance of bonds.

Council Member Whilding MOVED to approve Ordinance 16-14, seconded by Council Member Wallace. Motion PASSED by a roll call vote of 7-0.

Ordinance 16-15 Consolidation of Projects into on BAN (Third Reading)

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Clerk Lampton read an Ordinance authorizing the issuance of not to exceed \$1,825,000 of various purpose bond anticipation notes, by the City of Beavercreek, Ohio, in anticipation of the issuance of bonds.

Council Member Whilding MOVED to approve Ordinance 16-15, seconded by Council Member Jarvis. Motion PASSED by a roll call vote of 7-0.

Ordinance 16-17 PC 16-1 Zoning Code Update (Second Reading)

Clerk Lampton read an Ordinance amending Chapter 158, by making certain additions, deletions, and changes to various sections of the Zoning Code. (PC 16-1)

There being no public input, the public hearing was closed.

This Ordinance will move automatically to the Third Reading.

Ordinance 16-18 Supplement to the Code of Ordinance S-30

Clerk Lampton read an Ordinance enacting and adopting a Supplement to the Code of Ordinances for the City of Beavercreek and declaring an emergency

Clerk Lampton explained all ordinances previously adopted are required to be codified which also allows updates to the Ohio Revised Code be adopted by Council. She said it is done as an emergency to allow the update to go into effect immediately.

Council Member Litteral MOVED to approve Ordinance 16-18 as an emergency, seconded by Vice Mayor Vann. Motion PASSED by a roll call vote of 7-0.

Resolution 16-17 Col. Glenn Resurfacing Project; LPA (Local Project Administration) Agreement

Clerk Lampton read a Resolution authorizing the City Manager to enter into a LPA Federal Project Agreement with the Ohio Department of Transportation for the project known as Colonel Glenn Resurfacing Project, PID No. 103060.

Mr. Smith explained this was a Resolution for an agreement with the Ohio Department of Transportation (ODOT) for the City of Beavercreek to enter into an LPA Agreement to administer the Col. Glenn Project for resurfacing. He explained project will extend from Grange Hall Road to the City corporation limit and will include curb, sidewalk and catch basin repair. He said construction would start spring 2017.

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Council Member Jarvis MOVED to approve Resolution 16-17, seconded by Council Member Whilding. Motion PASSED by majority voice vote.

LIQUOR PERMITS

Walgreen Co. DBA Walgreens 11510 (Stock)

Chief Evers said the Ohio Department of Commerce, Division of Liquor Control sent notification of a request regarding a change of corporate stock on a C1, C2 liquor permit for Walgreen Co. DBA Walgreens 11510, 2269 N. Fairfield Rd., Beavercreek, OH 45431. The records checks required by the Ohio Department of Commerce, Division of Liquor Control were conducted on the applicant/shareholders for this application. Staff recommended this application request move forward with no comment.

Council Member Litteral MOVED to accept without comment, seconded by Council Member Whilding. Motion PASSED by majority voice vote.

Maxs Sports and Spirits Inc. (Stock)

Chief Evers said the Ohio Department of Commerce, Division of Liquor Control sent notification of a request regarding a change of corporate stock on a D1, D2, D3, D3A, D6 liquor permit for Max Sports and Spirits Inc., 3991 Dayton-Xenia Rd. Beavercreek, OH 45432. The record checks required by the Ohio Department of Commerce – Division of Liquor Control were conducted on the applicant/shareholders for this application request. Staff recommend this application request move forward with no comment.

Council Member Litteral MOVED to accept without comment, seconded by Council Member Whilding. Motion PASSED by majority voice vote.

CITY MANAGER'S REPORT

Mr. Kucera said the Police Department was awarded by CALEA the Accreditation with Excellence Award.

Chief Evers read a letter received from CALEA regarding the accreditation. He said this is a significant milestone for the police department and this community.

Mayor Stone thanked the chief and the department stating it was no surprise the department had achieved this accreditation as they know how good they are. Chief Evers stated there were only approximately 5% of law enforcement agencies across the United States that receives accreditation; less than 2% receive it with excellence.

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Mr. Kucera said the audit that was spoken of at the beginning of the meeting is available on the website. The Auditor of State Award will be presented to the City at a future meeting. He said only 5% of municipalities receive this award with distinction.

MAYOR'S REPORT

Mayor Stone said State Representative Rick Perales would be holding office hours at the Beaver Creek Golf Course on August 23rd from 3 – 5 p.m. There will be a 9/11 Remembrance Service at the 9/11 Memorial on September 11th at 6:00 p.m.

COUNCIL TIME

Council Member Litteral was proud of the Financial Department and the entire staff at the city. She thanked the Police Department for their hard work and congratulated them.

Council Member Upton echoed Council Member Upton's comments. He said it has become the expectation rather than the exception which is wonderful for our community. He said the citizens should feel good and confident that our departments are running in tip top shape.

Council Member Wallace echoed the prior comments. She said the City is accepting board/commission applications for various vacancies. Please see the website for more information. She reviewed the employee anniversaries. Congratulations to everyone.

Vice Mayor Vann said last spring they talked about strategic planning which was postponed for various reasons. She said it was important to put it in the budget for next year and asked that it be put back into the work session budget. She said she would be presenting it to help the new City Manager and the Council. She said they need to do one for all the capital improvements. She said there is a group of people giving tribute to Ben O'Diam and was looking for stories to put in a book. She had received requests from some residents to have signs posted where former villages were located throughout the city.

Council Member Jarvis congratulated the Police and Finance Department for their awards.

Council Member Whilding congratulated the Police and Finance Department. He said the Greene CATS board meeting mobility manager is looking for any input for the bus service in Beaver Creek.

CITIZEN COMMENTS

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There were no citizen comments.

ADJOURNMENT

Council Member Jarvis MOVED to adjourn the meeting at 7:22 p.m., seconded by Council Member Upton. Motion PASSED by majority voice vote.

Bob Stone, Mayor

ATTEST:

Dianne Lampton
Clerk of Council
Cmin080816

BEAVERCREEK CITY COUNCIL
WORK SESSION, August 15, 2016, 5:00 p.m.

CALL TO ORDER

Mayor Stone called the meeting to order followed by roll call.

PRESENT: Council Member Jarvis, Council Member Litteral, Council Member Upton, Council Member Wallace, Council Member Whilding, Vice Mayor Vann, Mayor Stone

ABSENT: None

TARDY: None

ALSO IN ATTENDANCE: Michael Cornell, City Manager; Dennis Evers, Chief of Police; Kim Farrell, Recreation Supervisor; Melissa Gillaugh, Deputy Clerk; Bill Kucera, Financial Administrative Services Director; Jeff McGrath, Planning Director; Steve McHugh, Legal Counsel; Jeff Moorman, City Engineer; Mike Thonnerieux, Public Service Administrative Director

APPROVAL OF AGENDA

Vice Mayor Vann MOVED to approve the agenda adding Item IV. E. Chicken Discussion, seconded by Council Member Wallace. Motion PASSED by majority voice vote. (Whilding opposed)

DISCUSSION ITEMS

Lofino Center Progress Report

Mrs. Farrell explained she met with several groups to discuss the color schemes, and there were no issues.

Matt Franklin reviewed the exterior building materials and interior color samples and materials. He explained they still have a little more work to do on wrapping up the documents and finishing the engineering on the systems and the structure, and then it will go out to bid sometimes in September.

Mayor Stone said procedurally Council will receive a final set of drawings and a date that it will be going out to bid and that will be the last step. Mrs. Farrell said that was correct.

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Legal Issues Update

Mr. McHugh discussed a recent case regarding panhandling, and explained the proposed changes to Section 132.13 "Panhandling" and new Chapter 112 "Peddling, and Soliciting, and Distribution". He explained they are trying to separate peddling and soliciting. There was a discussion about the definition of personal use, and it was determined it should be left the way it was proposed. Council agreed to bring this forward for a vote at an upcoming regular meeting.

US 35 Update

Mr. Moorman reported ODOT has given an estimated cost amount of 14.6 million for the "Superstreet" project. He discussed what funding has already been secured and what funding was needed yet. Mr. Moorman stated a letter of support was needed from the Township, the County, and the City for the project stating they support the project and are willing to commit to the amount of money needed towards the local fund. Council planned on discussing this with the Trustees at the joint meeting in a couple weeks, and was in support of the project but had some concerns with supporting the funding since the City would be paying a substantial amount for the Shakertown Road project.

On Street Parking

Mr. McHugh stated Council had reviewed this before, and the requested changes were made to Section 76.99 "Penalty" so the fees are consistent. He discussed the new definitions being proposed in Section 70.01 "Definitions" and reviewed new Section 76.17 "Parking of Large and Oversize Vehicles on Streets". There were scenarios given, and what this new section would prohibit. After discussion, Council agreed to bring this item forward on an upcoming agenda so a vote could be made.

Chickens

Mayor Stone stated he continued to receive emails daily about chickens, and questioned if Council would like to bring this item forward at a regular meeting so there could be a vote on an ordinance that allows it or not. There was a discussion about the City receiving complaints about properties that currently have chickens. Mr. McHugh said he would bring the ordinance back to a regular meeting, and the ordinance will be presented with the exact language that was taken out of the Zoning Code Update.

INFORMATIONAL ITEMS

Council/Managements Mid-Year Update

Mr. Cornell stated Council had received a copy of the mid-year update of the Council/Management action plan. He said they all sat down in January at the Advance and looked at the priorities, and explained what was included in the update.

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COUNCIL COMMITTEE/EVENT UPDATES

Council discussed events they had attended and anything they scheduled in the near future.

ADJOURNMENT

Council Member Upton MOVED adjournment at 6:12 p.m., seconded by Council Member Litteral. Motion was passed by unanimous voice vote.

Bob Stone, Mayor

ATTEST:

Melissa Gillaugh
Deputy Clerk of Council

BEAVERCREEK CITY COUNCIL
REGULAR MEETING August 22, 2016 6:00 p.m.

CALL TO ORDER

Mayor Stone called the meeting to order followed by roll call.

PRESENT: Council Member Litteral, Council Member Upton, Council Member Wallace, Council Member Whilding, Vice Mayor Vann, Mayor Stone

ABSENT: Council Member Jarvis

ALSO IN ATTENDANCE: Randy Burkett, City Planner; Dennis Evers, Chief of Police; Theresa Hathaway, Fiscal Officer; Bill Kucera, Financial Administrative Services Director; Dianne Lampton, Clerk of Council; Jeff Moorman, City Engineer; Mike Thonnerieux, Public Administrative Services Director

Council Member Litteral MOVED to excuse Council Member Jarvis, seconded by Council Member Whilding. Motion PASSED by majority voice vote.

PLEDGE

Vice Mayor Vann led the pledge and a moment of silence.

APPROVAL OF AGENDA

Council Member Litteral MOVED to approve the agenda, seconded by Council Member Upton. Motion PASSED by majority voice vote.

PRE-SCHEDULED PRESENTER

Joseph Braden, Auditor of State Award with Distinction

Mr. Braden presented the Auditor State Award with Distinction for the year 2015. He said the State Auditor's office audits approximately 6,000 entities and less than 300 are eligible for this award. He reviewed the criteria to receive the award. He thanked the City and Mr. Kucera for their efforts.

PUBLIC HEARING – PUD 16-2 Creekstone

Clerk Lampton read an application filed by Oberer Land Developers, Lt., 3175 Newmark Drive, Miamisburg, OH 45342. The application requests approval of a residential planned unit development (Creekstone) by rezoning 73.3 acres of land from A-1 Agricultural District and R-1A One Family Residential District to R-PUD Residential Planned Unit Development. The property is located approximately 1,250 feet north and 1,675 feet east of the intersection of Grange Hall and Shakertown Roads. The property is further described as Book 3, Page 13, Parcels

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29 and 30 on the Greene County Property Tax Atlas.

Applicant Presentation

George Oberer, Jr., 3475 Newmark Drive, Miamisburg, OH 45342

Mr. Oberer discussed the overview of the Oberer Companies and the location of the proposed project. He showed the conceptual plan and reviewed the types of homes they are proposing to build. Mr. Oberer explained they are proposing a tree preservation area along the northern and eastern boundary lines and he discussed the storm water management they are planning. He said they are currently conducting a study regarding the storm water issues in the area. He stated they did have a traffic study done because of the concern about visibility from the Grange Hall Road access point and it was determined to be a safe location. Mr. Oberer said they are proposing a pedestrian access only to River Hills Road, and said it would be difficult to connect a street because of the grade and they want to make sure they have adequate drainage in place to get the water to the pond. Mr. Oberer showed a site plan explaining a little over five acres has been set aside for the expansion of Leo Brown Traditions at Beaver Creek Senior Assisted Living Development which is currently under construction. He said they would be submitting a separate application in the future for that project. He reviewed Phase 1 which would be patio home lots and single floor living. He showed a site plan showing Phase 1 off Shakertown Road, which are single-family homes with lot sizes varying in width from 85 to 95 feet with homes from 1,865 to 3,098 square feet and a dozen different floor plans. Mr. Oberer said the lots will have large front and rear yards and there is potential for side load garages on many of the lots. He showed several different elevations of what would be offered that consisted of single and two-story plans. He explained they are planning a four to six foot high landscape mound within the rear yards along Grange Hall and Shakertown Roads. He stated there will be a continuation of existing sidewalks in the area along Shakertown and Grange Hall Roads and an eight-foot multi-purpose path on the Grange Hall Road frontage. Mr. Oberer explained the open spaces were concentrated as much as possible along the eastern property line to preserve the trees and is the lowest spot in the development to put the detention basin. He said there has been a 10-foot no cut zone added along the rear of all the lots that are adjacent to existing lots to the north and east. Mr. Oberer said they would ask for a variance. He explained patio homes by design are on a narrower lot, 62 feet wide, because the patio homes vary between 40 – 45 feet wide. He said because of this they tend to be deeper, from 60-65 feet deep. He said they have a courtyard drive entrance and because of that they are requesting a deviation from the Planning Commission recommendation of a 30 foot setback on the patio homes only.

Staff Presentation

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Mr. Burkett stated the applicant is requesting to rezone 69.1 acres to R-PUD to construct a low-density single family development consisting of up to 145 units. He discussed the location of the property, the zoning classification for the property under discussion and the surrounding properties, the Land Use Plan designation for the property, the proposed concept plan, what type of homes are proposed, the density calculation, and the setback requirements. He reviewed several conditions including a condition the Planning Commission added requiring the main road for the development to be constructed during the first phase. He said this is something the City typically does not do and goes against the intent of phasing developments. Mr. Burkett explained this condition was not included in the Ordinance but if Council so chooses that could add it back in. He said it was in the Resolution from Planning Commission but not in the Ordinance. He said condition number 5b would need to be amended to state lot numbers 1-16 as well as 105-107. Staff and Planning Commission recommended approval of the case with nine conditions.

Mr. Oberer stated the Planning Commission's condition for completion of the road system during Phase 1 was not financially feasible. He said it's not just the road but all the utilities and this would require development of the entire site almost all at once.

Public Input

Charles Curran, 3929 Largo Lane, Beavercreek, Ohio

Mr. Curran stated he is a member of the Planning Commission and objected to the cut through of the road from the old plat into the new plat. He didn't feel it was necessary because of the conditions of the roads in the plat and the flood problem in that area. He said it would provide for a bike cut through/walkway which was mentioned. He supports the project but opposes the road cut through.

Karen Zink, 3997 Willowcrest Road, Beavercreek, Ohio

Ms. Zink gave her three minutes to Joe Zink.

Joe Zink, 3997 Willowcrest Road, Beavercreek, Ohio

Mr. Zink said his comments were positive towards Mr. Oberer's development. He said he was not in favor of the developing this land but the first speaker at the Planning Commission meeting expressed his feelings that they can't expect this to be farmland forever. He said based on previous ideas, this is the best idea so far. He said the developer has a good reputation and lives in Beavercreek which implies he has an interest in doing it right. He was disappointed in the way the Planning Commission was run regarding this proposal. He said the public comment portion was before the chair added amendments nine and ten which he has now learned ten was dropped. He said very few neighbors spoke during the

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public comment because they voiced their concerns directly to the developer during a very long lively discussion at the neighborhood meeting. He said the developer responded by making some very nice changes which was presented this evening. He said after the public comment section closed at the Planning Commission meeting these two amendments were added and not at the best interest of the neighborhood. He felt amendment nine would hinder the opportunity for the developer to reduce the possibility of flooding on Willowcrest Road. He said he lives in what people refer to as Lake Willowcrest. He said the developer backed his reasoning by stating he had a study completed by a civil engineer but the Commission ignored these findings and added amendment nine because it's good planning practice. He said this is unsound and poor reasoning and ignores the civil engineer's findings. He said the Willowcrest neighborhood has put up with flooding for too long. Mr. Zink has been a resident of Beavercreek for 69 years and has lived on Willowcrest Road for 37. He said each time the City has discussed the flooding issue the results have been the same. He said the City has no money, need to wait on a grant or put the burden on a developer. He said the grants never came but now there is a developer who is willing to work with the City to at least reduce the severity of the problem. He said since these are the plans for developing the remaining portion of the land this is the last chance. He thought it irresponsible of the Planning Commission to ignore this last opportunity to reduce the Willowcrest water issue without proposing another solution. He said amendment nine makes his entire neighborhood less safe for children and grandchildren by increasing the amount of traffic on the neighborhood streets. He said Willowcrest Road would pay the price and receive no benefit. He said the chair acted irresponsible in proposing amendment nine and not allowing the neighbors to comment. He asked that the commissioner reconsider the proposal of amendment nine and have it removed from the proposal for the safety of the neighborhood.

The public hearing was closed.

Council Input

Council Member Whilding asked what the mitigation opportunities were to help ensure there is property drainage through there if the road does exist. Mr. Burkett said he did not want to speak for the engineers but it was his understanding that it would have to be a pipe system underneath the road which is not as efficient as having the water flow along the surface to where they want it to go. He said to have it go underneath the road and bring it back up is less effective. He said there was a study from a civil engineer. Mr. Burkett said the engineer talked about the road's lines of sight from access points. Council Member Whilding said whatever the developer does regarding drainage will help the neighborhood behind the development. He said since we haven't received the full study we can't say what

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impact it is to keeping that road there. Mr. Burkett said the engineers looked at it from a broad sense.

Council Member Whilding asked Mr. Oberer if the setback request would be for the patio home section. Mr. Oberer replied it was only for that section. He said for the larger homes the plan reviewers would not allow for less than a 35 foot setback. He said the patio homes are segregated to their own section of the plat.

Council Member Litteral said the City has a huge storm water drainage problem and anytime there is a developer willing to work with the city is beyond expectation. She said a bike path and walkway should be plenty for the connectivity. She did not see where a road was needed. Mr. Burkett said there was always an idea the neighborhood to the north would one day connect to Shakertown Road and it's a general concept for interconnectivity between neighborhoods. Council Member Litteral said if it causes more problems that is an issue. Mr. Burkett said it's also a cost benefit of it is worth it to not connect to get better drainage. Council Member Litteral stated better drainage is always the best move forward.

Council Member Upton said it makes sense to keep the connection as a bike path. He said he saw no reason not to grant the 30 foot setback for the patio homes.

Council Member Wallace thought it was great that Mr. Oberer spoke with the neighbors and his willingness to help with the drainage was even greater. She said it is a major problem and saw no reason to connect it as a street if it will help with the drainage. She had no problem with removing condition nine or agreeing with the 30 foot setback for the patio homes.

Vice Mayor Vann asked if staff had gone to the effort to solve the water problems on Willowcrest. Mr. Burkett said this was discussed at the pre-application meeting and the original concept planning meeting. He said the engineering will take quite a bit longer than the basic discussion. He said what they have discussed is it needs to be taken care of but the how has not. Vice Mayor Vann said we should not put this in the trust of Mr. Oberer as it is not his job. She said since this has been a chronic problem, she would like staff to do a separate study to figure out what we can do to solve it. She said the engineering department should be involved. She said staff and Mr. Oberer need to figure out the best plan to benefit everyone. She said it should be completely solved not kind of solved and done so as a partnership. She asked if the neighbors on Grange Hall would be able to walk all the way to Shakertown and make a loop. Mr. Burkett said when the roads are final, yes. He said they will not connect with this project. He explained when the church comes through, they will need to upgrade the road. He did not know the timeline for the church but when it came through a sidewalk would be part of the

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project.

Mayor Stone asked Mr. Moorman to give an overview of the drainage problem. Mr. Moorman said from the very first meeting they stressed with Mr. Oberer the importance of helping with the drainage issues. He said they have made progress with reaching an agreement but it was a work in progress. He said this is the zoning phase and there was still the specific site plan phase which is where everything will be addressed. He said was possible to make the connection and maintain the drainage out. He explained to do this you would have to build River Hills high enough to fit a culvert pipe underneath the street. He said the draw back to this you have to go back to the existing River Hills to match the grade so the work would go beyond the plat limits. He said the problem in this area is there very little fall. He said, in his opinion, it would be nice for the existing plat to the north to have the direct connection to and from Shakertown Road not only for the existing residents getting to and from their home but also for emergency vehicle access.

Mayor Stone asked Mr. Oberer if this product was similar to those in Stone Falls. Mr. Oberer replied it was similar and explained Stone Falls was built in the 90's. He said what he showed tonight was an updated project but similar size.

Mayor Stone said he would normally be in favor of connectivity between plats but if the residents to the north are not in favor he was fine with it as long as there was the non-motorized connectivity. He said if we do not require those connections he requested vacating the two stubs. He appreciated the density of this plan and said there is a need for patio homes.

Council Member Whilding asked if there was only one entrance to the neighborhood. Mr. Burkett said there were multiple connections. Council Member Whilding stressed the connection be reviewed at the specific site plan and make it a condition to make sure it happens.

Council Member Whilding MOVED to amend condition nine to read "There shall be a review at the specific site plan of the connection with River Hills Road to the north," seconded by Vice Mayor Vann. Motion PASSED by majority voice vote. (Against – Litteral)

Council Member MOVED to amend

- Condition 5a to read, "All lots shall have a 35 foot minimum front yard with the exception of Lots 1-16 and 105-107 which shall have a 30 foot minimum front yard."
- Condition 5b to read, "All lots shall have a 30 foot minimum rear yard setback (except lots 1-16 and 105-107, which will have a minimum 20 foot

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rear yard setback).”

Seconded by Vice Mayor Vann. Motion PASSED by majority voice vote.

Ordinance 16-20 (First Reading)

Council Member Wallace MOVED to approve Ordinance 16-20 as amended and move to the second and third readings, seconded by Council Member Whilding. Motion PASSED by majority voice vote.

ORDINANCES, RESOLUTIONS AND PUDS

Ordinance 16-17 PC 16-1 Zoning Code Update (Third Reading)

Clerk Lampton read an Ordinance amending Chapter 158, by making certain additions, deletions, and changes to various sections of the Zoning Code. (PC 16-1)

Council Member Litteral MOVED to approve Ordinance 16-17, seconded by Council Member Upton. Motion PASSED by majority voice vote.

Ordinance 16-19 PUD 16-1 Cottages at Beaver creek (Second Reading)

Clerk Lampton read an Ordinance amending the Zoning Map, by rezoning approximately 20.03 acres of land located at 2358 County Line Road from A-1 Agricultural to R-PUD Residential Planned Unit Development, further described as Book 3, Page 3, Parcel 72 on the Greene County Property Tax Atlas. (PUD 16-1)

Mr. Cornell excused himself from the meeting.

Public Input

Sean Simmons, 4282 Weber Drive, Beaver creek, Ohio

Mr. Simmons said there was a request at the first reading to consult the fire department to make recommendations on the connection of Quill Road to the Cottages. He wanted to confirm the fire department was reviewing this and requested opportunity for the public to speak after the fire department has made their recommendations. Mayor Stone explained this was not something that could be granted at this time and not the normal process. He said if there was new information it would be shared. Mr. Burkett explained there was an add-on to the Ordinance regarding the fire and police department reviewing the specific site plans at that stage. He said the specific site plan will be discussed at the next Planning Commission meeting. Mr. Burkett said their initial comments were to have the connection go through. He explained the fire department had a meeting with the residential neighbors yesterday (Sunday) and the initial requirement it go through based on the condition of other emergency access points being not maintained properly and impedes the ability to get through the emergency access

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points. He said their initial reaction was to have a road so they have that access. He said he spoke with the fire department today who have now come off that decision and are continuing the discussion. He said at this time it is not known what the decision will be.

Council Member Wallace asked what the residents were wanting. Mr. Burkett said to his knowledge there were against the connectivity.

Mayor Stone said if there is new information it would be up to the Council if they would like to bring this to the floor. He said there would be no guarantee if there will be public input on the third reading.

Mr. Simmons asked it would be a good show to the community to be given the opportunity.

Kevin Washington, 4412 Weber Drive, Beavercreek, Ohio

Mr. Washington reminded Council that Mr. Simms met with the community that he lives in and part of the agreement with Mr. Simms was not to access the north side of Quill Drive. He said he lives on the north section and the traffic would increase dramatically and harm his home. He said there are young children that play in this area and enjoy the peace and privacy of a somewhat secluded area. He said this was agreed upon not to access the north side of Quill Drive in the Planning Commission. He said he was a little dismayed this issue is not brought forth again that the north side of Quill is going to be accessed. He said that was not part of the Planning Commission as he recalled.

Ranna Patel, 732 Quill Road, Beavercreek, Ohio

Ms. Patel stated her concern was the Cottages will not have a stop light at County Line Road. She said the access of Reynolds and Reynolds across the street makes it congested and their neighborhood will become a short cut to get to the traffic light at the main entrance of Reynolds and Reynolds. She said they do have another emergency egress point in the neighborhood and is very well maintained. She said the connectivity would be great if it did not increase traffic, danger to the young children and the property values. She said they are taking a hit with the apartments that were added.

Logan Williams, 4402 Weber Drive, Beavercreek, Ohio

Mr. Williams seconded what his neighbors had already said. He said the lack of a traffic light would increase the traffic as there is a huge amount of traffic at the stop sign on Weber Drive and as soon as they realize they don't have to wait at the stop light and go around that will dramatically increase the traffic. He said he has two kids who play on the road and people already speed through looking for a short

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cut, figure out there is not connectivity and speed back. He said this would become a main thoroughfare. He understood the need for safety and access but the safety concern with traffic going through there every day is a much larger concern. He said a well maintained emergency access would be much better.

Paul Berry, 682 Quill Road, Beavercreek, Ohio

Mr. Berry said he agreed with what his neighbors had already said. He said he has three kids that get picked up by the bus there and would be immediately in danger.

Srinivas Erragolla, 4252 Weber Drive, Beavercreek, Ohio

Mr. Erragolla said the access would increase the traffic by car and feet in their subdivision. He said a lot of people from the apartments already walk their dogs in their subdivision because it is quieter and now with the Cottages it will cause more traffic and be inconvenient for the kids playing in the neighborhood. He said with the Cottages it will decrease the quality of their subdivision and decrease the home prices on Weber Drive and Quill Road. He said there are already about 172 apartments nearby and people from there access County Line Road through Weber Drive. He said if you add another 94 units from the Cottages it will be a significant increase in traffic in this area. He was concerned about the road that will be behind his house.

Dave France, 4232 Weber Drive, Beavercreek, Ohio

Mr. France asked not to open Quill Road to traffic. He requested if the fire department recommends this as an emergency access to place some type of knock down barriers the fire trucks could drive over.

Mae Giehl, 4456 Straight Arrow Road, Beavercreek, Ohio

Ms. Giehl said this morning she observed four cars sitting in the partial cul-de-sac where they wish to connect Quill Road. She said this evening there were three cars trying to park there. She said the bus stops at the corner. She said her street does not hold that many cars. She said the traffic will be horrendous and it would be a big mistake. She said the setback on her property and three other properties has not been approached and the retention pond is 24 feet from her property line. She said that is very close for three properties and almost complete fourth property. She said at one time Mr. Simms thought it possible to move it back to 40 feet. She said they stopped at the house next to her at 50 and put her to 24. She did not understand and said it makes it very hazardous for all of the children because they can get away in just a minute.

Tyler Greenwood, 4382 Weber Drive, Beavercreek, Ohio

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Mr. Greenwood said he understood the need for connectivity and lives next to the emergency access/bike path which is very well maintained. He said there is a lot of foot traffic from the neighborhood and everyone enjoys walking through there. He did not see the need for motorized traffic connectivity between the neighborhoods. He said if you can give the people the ability to walk through to the Cottages everyone would enjoy the decreased amount of traffic with no full access between the neighborhoods.

Kendra Malcolm, 4270 Straight Arrow Road, Beavercreek, Ohio

Ms. Malcolm said her concern was the property values. Her neighbor sold his condo recently for \$35,000 less than his original purchase price. Her other concern was the traffic issue.

Charles Simms, Charles Simms Development, 2785 Orchard Run Road, Dayton, Ohio

Mr. Simms explained as they were moving forward with the specific site plan, he did meet with the neighbors several times. He said one of the concessions they talked about was building a mound on the north and south side. He said on the south side they have a problem with the grade differences. He explained Cinnamon Ridge is higher than this development and to make the drainage work they cannot build a four foot mound. He felt they could build a two foot mound and plant eight foot high trees in that area instead of six foot trees. He said this was discussed with staff and did not know if this needed to be amended in the Resolution or discussed with the specific site plan. He said staff did want this brought up tonight. Mayor Stone said this could be added at the specific site plan stage.

The public hearing was closed.

Council Member Litteral requested to have the fire department present at the next meeting to discuss the access point. She said this is not a common practice but would like to hear from the fire department. Mr. Burkett said he would request fire department to speak or write up something. Council Member Litteral said she would like them at the meeting if at all possible. Mr. Burkett said he would pass the request on.

Mr. Moorman said the existing traffic light at County Line Road and Straight Arrow Road with modifications would help. He explained when Reynolds and Reynolds lets out there is an extreme amount of traffic and those trying to turn left from Straight Arrow is difficult. He said if they added a protected left turn phase it would help people get out easier. He said the same is true for people south bound on County Line Road with a protected left turn phase. He said this would address a

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few of the concerns. He said adding lighting would help with the bus stop. He said as this progresses through the specific site plan stage they will look at other solutions as well.

Council Member Whilding said the buffers and gradings are in the Ordinance and would have to be addressed at the third reading. Mr. Burkett explained this is listed in 10B of the Ordinance. Mr. McHugh said the verbal should be prepared and substituted at the third reading. He said it is not substantial that this be required to go back to the first reading.

This Ordinance will move automatically to the Third Reading.

Mr. Cornell returned to the meeting.

Resolution 16-18 Greene County Auditor to Enter the Cost of Noxious Weeds and Grass Cutting on the Tax Duplicate

Clerk Lampton read a Resolution directing the Greene County Auditor to enter the cost of noxious weeds and grass cuttings on the tax duplicate for the properties described in Exhibit "A".

Mr. Kucera said this is the annual Resolution to send the assessments to the County Auditor put them on the tax duplicate for 2017. He reviewed the process by explaining when the City staff receives a complaint of high weeds/grass exceeding ten inches, the Code Enforcement Officer attempts to contact the owner and if unable, he places a placard in the front yard of the property giving the owner five days to correct the issue. He explained if the issue is not fixed, the City will have the grass/weeds cut by an outside contractor. He said the cost to the owner is a \$100 administrative fee plus the cost of the contractor completing the work. He said an invoice is sent to the owners and if they do not pay they are sent a second invoice explaining if this is not paid this will be sent to the County Auditor, charge a \$25 assessment fee plus a 5% County Auditor fee. He said the City per the Ohio Revised Code is allowed to place the outstanding invoice on the tax duplicate as a lien on the property. He said the deadline for placing these items on the tax duplicate is September 12th. He reviewed the history of the number of owners out of compliance explained the goal is to have the owner correct the situation. He said the City bids out every year to determine the contractor. He hoped with the registration requirements for vacant homes, the amount of assessments will decrease. He said there were 35 parcels with 47 assessments totaling \$8,096. He explained when the assessment funds are received they are placed into the General Fund to cover the costs associated with the City paying the contractor and to recover the cost to bring the property back into compliance.

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Council Member Upton MOVED to approve Resolution 16-18 seconded by Council Member Litteral. Motion PASSED by majority voice vote.

Ordinance 16-21 Keeping of Chickens in Residential Districts (First Reading)
Clerk Lampton read an Ordinance adopting new section 158.126 "Keeping of Chickens in Residential Districts" of the City of Beavercreek Code of Ordinances.

Mr. McHugh explained Council asked to bring back the Zoning Code change that was removed from an earlier Ordinance. He said this section would allow for the keeping of chickens within the city limits with certain restrictions. He said the requirements have not changed from what was previously presented.

Public Input

Jim Reisen, 826 Vernis Drive, Beavercreek, Ohio

Mr. Reisen said the Ordinance should say the keeping of a few chickens in Beavercreek. He said it's not like we are opening the world to flocks and commercial agriculture. He said the bulk of the objections he has heard is chickens will adversely impact the enjoyment of people's property or their property value. He said the code as proposed isn't going to leave much room to do that. He said six chickens on 15,000 square feet isn't going to make nearly as much ruckus as a few dogs on 15,000 square feet or cats or even pigeons. Mr. Reisen said he pays a lot for his property and didn't think enjoying a few chickens in the backyard is going to bother his neighbors, property values or any other adverse impacts. He asked Council to consider passing the code as written. He thought it was well done and something the City needed because otherwise they really have nothing.

Phil Parker, 667 Brookmeade Court, Beavercreek, Ohio

Mr. Parker said he was at the July 25th meeting when this was discussed and appreciated Council taking time to ponder this issue. He said this was a community of 45,000 residents and more than 18,000 households. He said he received phone calls from about 25 Beavercreek residents. He said in every case, people said they couldn't believe they invested in property in Beavercreek knowing they were going to have some type of barn type pet Ordinance allowing for chickens. Mr. Parker thought this as one of the biggest issues. He said you would be building coops near property lines and this would be a problem with smells and noise. He grew up on a farm which raised chickens, hogs, cows and horses. He said hens do make noise and would be an issue of noise. He said the enforcement is a big issue. He said there are chickens within the community now and we are not to the point of enforcing that let alone being able to enforce something more. He said the passage of this could hurt property values. He encouraged Council not to move forward with this Ordinance.

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Harold Lewis, 1423 Town Hall Road, Beavercreek, Ohio

Mr. Lewis said his concern was enforcement. He said we have chickens now, not supposed to have them and don't enforce the rules. He said we don't have the people to enforce any more changes to the zoning code. He said with the election coming up there will be illegal signs all over the city and the city does zero about that and it's in the code. He said his younger grand-children were visiting and said they want to raise rabbits. He said they wanted to put a hutch in the backyard and Mr. Lewis said why not, it's illegal but the city won't do anything to me. He said the only way this will be enforced is for neighbors to call on neighbors. He said there are issues right now with junk in people's yards that cannot get resolved. He said don't pass this. If people want to raise chickens then go to Yellow Springs or some other place.

Pam Reisen, 826 Vernis Drive, Beavercreek, Ohio

Ms. Reisen said everybody is looking at chickens like they are a farm animal instead of as a pet. She said every issue that has brought up she could contest to certain levels. She said hens do make a little noise but no more so than any dog that your neighbor has. She said for some reason a 6-8 pound chicken is objectionable. She didn't understand as it's just another little pet. She said she has U.S. 35 next to her property and if anybody could hear her chickens over the noise generated from U.S. 35 then come over to her house. She said there are Council Members who have not checked out the facilities of the people who have chickens. In working with the Planning Commission, they know there are chickens living in Beavercreek but as long as their neighbors don't complain who's going to know. She said the last time this was discussed Council brought up the suggestion to get the neighbors' permission. She said that was absurd and does anyone get permission for a dog or a cat. She said dogs and cats are fine even though dogs started out as a farm animal either protecting the farm or hunting. She said dogs have become pets and you look at chickens as another issue. She said salmonella is in all your chicken products even from Kroger and has nothing to do with the chickens in the backyard which are in cleaner and safer conditions. She said Council Members who were elected last year were 100% behind this now have done a one eighty and she was distressed about this.

The public hearing was closed.

Council Member Litteral expressed concern with the number of chickens allowed in the Ordinance. She said a lot of people look at different animals as pets. She said most try to be good pet owners; when your dog barks you bring him in. She said chickens are different as chickens are outside all the time. She said not everyone is going to take the type of care like the Reisen's do and that is unfortunate. She said we are a limited services city with one code enforcement

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officer and until we have the type of funding that permit for some of the codes to be enforcement, we can't do that. She thought this issue raises a lot of concern about the city's code enforcement.

Council Member Upton said they have talked about this issue for four years. He had a serious phone call from a resident asking if including in the chicken ordinance if they could include goats. He explained the resident had recently lost her husband and being raised on a farm, the goats would eat the grass. He said she had no children in the neighborhood that could cut the lawn for her and thought if goats were included in the ordinance this would help with her issues. Council Member Upton questioned were the slippery slope stops. He said if we are going to allow chickens and goats then what's next. He said there has to be a line between domesticated pet animals and barnyard natured animals.

Council Member Wallace said the majority of people who contacted her were overwhelmingly against allowing chickens. She said her job is to support the residents that contact her.

Vice Mayor Vann said we are coming into a new awareness of food quality and not everything that is done in a mass chicken raising place is not the healthiest kind of protein to feed our children. She said millennials and other families have taken to the idea of having chickens. She asked if chickens were prohibited currently or if there were no laws for having them. Mr. McHugh replied that chickens were allowed in agricultural districts only. Vice Mayor Vann said there were two chicken coops within walking distance of her house but currently have no chickens and nobody complained. She said some parents like the idea of having chickens as an educational process. She felt the property size requirement should be three-fourths of an acre instead of one-third. She said with society changing as it is if this was that bad of an idea. She has seen well maintained chicken coops that were not a threat to her. She said she would like to see an ordinance that talks about nuisances. She said a nuisance would be habitual barking, whining, howling, meowing, crowing, or other severe annoyance. She said for many years there have been problems with barking and howling and should have a nuisance rule on the books. She said if somebody is threatened by the safety of animals, dogs especially, the city should have nuisance legislation on the books. She said if any pet is not kept in a sanitary condition this should also be a nuisance because it's detrimental to the neighborhood. She was not necessarily against having chickens but was undecided on this topic.

Council Member Upton stated there is a barking ordinance section 91.21.

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Council Member Whilding stated he was pro-chicken but his concerns were personal. He said you can make these decisions for yourself. He said staff did a good job but it was not something at this time for Beavercreek. He said we have given a good discussion.

Mayor Stone thanked the Reisen's for the photos. He commented in the future there may be a way to figure out how to allow pets of different breeding acceptable. He said an ordinance that gets to raise chickens just for the sake of the eggs he found more of an agricultural situation and not something that a majority of people want on their half acre and smaller lots. He said to raise chickens to produce fresh eggs was not something he would support.

Council Member Whilding said there was a statute City of Sparta versus Page 2015 which chickens were found to be no different than any other use of your property. He addressed Mr. McHugh saying he said chickens had been found to be of incidental use to residential. Mr. McHugh said this was a case out of Illinois and involved a city that did not have a definition of agricultural animals that included chickens. He said the City of Beavercreek's definition does include chickens.

Council Member Whilding MOVED to approve Ordinance 16-21 and move to the second and third readings, seconded by Vice Mayor Vann. Motion TIED by a roll call vote of 3-3. (Against Upton, Wallace, Stone)

Mr. McHugh said a 3-3 vote would place the Ordinance on the agenda for the next meeting as a first reading since there was no decision.

Mr. McHugh explained that a Council Member who voted in favor of the Ordinance could motion for a reconsideration at this meeting and further debate. He explained Council has taken no action by not turning it down or moving it on.

Council Member Whilding asked if they could make amendments to the Ordinance next week because Council would be starting over. Mr. McHugh said that was correct. He explained they could also make amendments if it were reconsidered as well as have further debate and further motion.

Council Member Litteral MOVED to reconsider Ordinance 16-21, seconded by Vice Mayor Vann. Motion was DENIED by a roll call vote of 1-5 (Against – Upton, Wallace, Whilding, Litteral, Stone)

Ordinance 16-21 will be presented at the next regular meeting as a first reading.

LIQUOR PERMITS

August 22, 2016

Aldi Inc. of Ohio (Transfer)

Chief Evers explained the Ohio Division of Liquor Control sent police notification of a request to transfer a C1, C2, and D6 liquor permit for Aldi Inc. of Ohio DBA Aldi Inc., 4886 Airway Rd., Riverside, Ohio 5431 to Aldi Inc. of Ohio DBA Aldi Inc., 2451 Lakeview Dr., Beavercreek, Ohio 45431. The record checks required by the Ohio Department of Commerce – Division of Liquor Control were conducted in the application/shareholders for this application. Staff recommended this liquor permit transfer move forward with no comment.

Council Member Litteral MOVED to accept without comment, seconded by Council Member Wallace. Motion PASSED by majority voice vote.

CITY MANAGER'S REPORT

Mr. Cornell said the InTouch should have reached mailboxes by this time. He reviewed the continued resurfacing efforts with the additional streets that should begin the end of September. Shoup Park will be closing for renovations but the slide will remain. The Popcorn Festival will be held September 10 and 11, 2016. For more information please visit www.beavercreekpopcornfestival.org. There will be a 9/11 Remembrance event at 6:30 p.m. at the 9/11 Memorial.

MAYOR'S REPORT

Mayor Stone said the Band of Flight will be performing at the 9/11 Remembrance Service. He said State Representative Perales will be holding office hours at the Beavercreek Golf Course from 3-5 p.m. on Tuesday.

COUNCIL TIME

Council Member Whilding wished everyone a safe and happy school year.

Vice Mayor Vann attended the grand opening of the McAfee Sports Center which will be a great asset to the community. Owen's Place will have the Treehouse Opening on August 27, 2016. She met with Clark State University who is working towards providing improved training for needed certifications for employers within the area.

Council Member Wallace said the Beavercreek Women's League will be meeting September 7, 2016 at Peace Lutheran Church. She thanked the police department for forwarding thank you notes received from the residents.

Council Member Upton extended his condolences to Council Member Jarvis for his recent loss.

Council Member Litteral though the latest InTouch is one of the best issues.

August 22, 2016

CITIZEN COMMENTS

Robin Cornell, 2782 Sutton Ave., Kettering, Ohio

Ms. Cornell explained she is the owner of the fruit stand on Patterson Road who was asked to tear it down at the beginning of the year. She said now the city has changed their minds and she can repair it. She said she wanted to know what she has to do and if someone could meet with her at the fruit stand and explain what is needed. She knew she needed to remove the trailer.

Mayor Stone said staff would be in contact with her and to please leave her contact information with the clerk.

Jade Kraft, 1040 Tralee Trail, Beavercreek, Ohio

Ms. Kraft said she wanted to know what needed to be rebuilt for the fruit stand. She said there have been a lot of people donating to help rebuild. She displayed a photo of what they would like it to look like.

Mr. Kucera said the City was proud to receive the Auditors Award with Distinction four out of the last five years which is very rare.

Citizen Comments was closed.

EXECUTIVE SESSION

Council Member Whilding MOVED to enter into Executive Session at 8:22 p.m. pursuant to Section 121.22 of the Ohio Revised Code, for the purpose of consideration of preparing for, conducting or reviewing negotiations or bargaining sessions with public employees, seconded by Council Member Litteral . Motion PASSED by a roll call vote of 6-0.

Council Member Upton MOVED to adjourn executive session at 8:32 p.m., seconded by Council Member Wallace . Motion was PASSED by roll call vote of 6-0.

Council Member Wallace MOVED to reconvene the meeting, seconded by Council Member Whilding . Motion PASSED by majority voice vote.

ADJOURNMENT

Council Member Litteral MOVED to adjourn the meeting at 8:33 p.m., seconded by Council Member Wallace. Motion PASSED by majority voice vote.

August 22, 2016

Bob Stone, Mayor

ATTEST:

Dianne Lampton
Clerk of Council
Cmin080822

ORDINANCE NO. 16-19

CITY OF BEAVERCREEK

SPONSORED BY COUNCIL MEMBER UPTON ON THE 8TH DAY OF AUGUST, 2016.

AN ORDINANCE AMENDING THE ZONING MAP, BY REZONING APPROXIMATELY 20.03 ACRES OF LAND LOCATED AT 2358 COUNTY LINE ROAD FROM A-1 AGRICULTURAL TO R-PUD, RESIDENTIAL PLANNED UNIT DEVELOPMENT, FURTHER DESCRIBED AS BOOK 3, PAGE 3, PARCEL 72 ON THE GREENE COUNTY PROPERTY TAX ATLAS. (PUD 16-1)

Whereas, Charlie Simms, Simms Development, 2785 Orchard Run Road, Dayton OH 45449, agent for the property owner, requests rezoning and concept plan approval; and

Whereas, the City of Beavercreek Planning Commission has recommended approval of the rezoning amendment with conditions and requirements; and

WHEREAS, Beavercreek City Council finds that the facts submitted with the application and presented at the public hearing and any modifications, amendments, or supplementary conditions satisfy the standards and criteria for Planned Unit Development approval as per §158.065 of the Zoning Code; and

WHEREAS, Beavercreek City Council finds that, pursuant to §158.071 of the Zoning Code, each and all of the included uses are appropriate for this specific Planned Unit Development; and

WHEREAS, Beavercreek City Council has voted to adopt the recommendation of the Planning Commission with modifications, this being a decision that requires approval by four members of Council.

NOW THEREFORE THE MUNICIPALITY OF BEAVERCREEK HEREBY ORDAINS:

SECTION I

That the Zoning Map referenced in §158.018 of the Zoning Code is hereby further amended to change approximately 20.03 acres of land, located at 2358 County Line Road, known as B42000300030007200 and as further described in the attached "Exhibit A" be rezoned to R-PUD Residential Planned Unit Development.

SECTION II

The following conditions and requirements shall apply:

1. The approved concept plan shall be the plans dated "Received June 21, 2016", except as modified herein.
2. Principal and accessory uses permitted in this R-PUD shall only be the following:
 - a) One Family Dwellings
 - b) Two Family Dwellings
 - c) Multi-Family Dwellings
 - d) Private garages for storage of vehicles of residents and employees
 - e) Private swimming pools and club houses for use by residents and guests only.
 - f) Those accessory buildings and accessory uses customarily incidental to the permitted principal uses.
3. Maximum density for this property shall be 4.31 dwelling units per acre.
4. Total units for the R-PUD shall not exceed 90 dwelling units.
5. Points of access and vehicular circulation as shown on the concept plan are subject to City of Beavercreek final review and approval at the specific site plan stage.
6. Building plans, designs and elevations for residential structures within the 20.03-acre project shall be subject to review and approval by Planning Commission and City Council at specific site plan stage.
7. Open space for this development shall be no less than 55% of the total land area.
8. The applicant shall be required to pay all applicable park fees, or dedicate parkland in lieu of park fees as determined by the City Manager, Planning Department and/or Parks Department prior to releasing the record plan for recording.

9. All principal dwellings shall be limited to one story.
10. Buffers and grading limits for the project shall be as follows:
 - a) Where the woods exist along the southern property line abutting the multi-family residential properties, maintain a 50-foot buffer from the property line. No grading or removal of vegetation permitted with the southern 25 feet of this 50-foot buffer, or as regulated by Planning Commission and/or City Council at the specific site plan stage.
 - b) Where there are no woods along the southern property line abutting the multi-family residential properties, construct a 4-foot mound, complimented with dense evergreens trees.
 - c) Where the woods exist along the northern property line abutting the single family residential properties, maintain a 50-foot buffer from the property line. No grading or removal of vegetation permitted within this 50-foot buffer, except within the southern two feet, or as regulated by Planning Commission and/or City Council at the specific site plan stage.
 - d) Where there are no woods along the northern property line abutting the single family residential properties, construct a 6-foot mound, complimented with dense evergreens trees.
 - e) If acceptable to Beaver Creek Fire Department, maintain natural barrier (tree) that dead-ends on Quill Drive to the north by curving the emergency access road.
 - f) Emergency access roads shall be constructed from grass pavers, the final design and location subject to review and approval at the specific site plan stage.
 - g) No construction traffic shall be permitted on Quill Road, Terrace Drive, or Straight Arrow Road.
11. At the specific site plan stage, all plans shall be made available to Beaver Creek Police and Fire Departments, for their determination whether or not it is necessary that the emergency access point at Quill Drive be made a standard access point so as to make the development more accessible for emergency vehicles.

SECTION III

It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that any and all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including, but not limited to Section

121.22 of the Ohio Revised Code.

SECTION IV

This Ordinance shall take effect from and after the earliest period allowed by law.

PASSED this _____ day of September, 2016.

Bob Stone, Mayor

ATTEST:

Dianne Lampton, Clerk of Council

SUMMARY

This Ordinance adopts a recommendation to rezone approximately 20.03 acres of land located at 2358 County Line Road from A-1 Agricultural to R-PUD, Residential Planned Unit Development.

This is not an emergency ordinance and will become effective 30 days after passage.

PUD 16-1 Cottages of Bvck Ordinance

ORDINANCE NO. 16-20

CITY OF BEAVERCREEK

SPONSORED BY COUNCIL MEMBER WALLACE ON THE 22ND DAY OF AUGUST, 2016.

AN ORDINANCE AMENDING THE ZONING MAP, BY REZONING APPROXIMATELY 67.91 ACRES OF LAND LOCATED APPROXIMATELY 1,250 FEET NORTH AND 1.675 FEET EAST OF THE INTERSECTION OF GRANGE HALL ROAD AND SHAKERTOWN ROAD FROM A-1 AGRICULTURAL DISTRICT AND R-1A ONE FAMILY RESIDENTIAL DISTRICT TO R-PUD, RESIDENTIAL PLANNED UNIT DEVELOPMENT, FURTHER DESCRIBED AS BOOK 3, PAGE 13, PARCELS 29 AND 30 ON THE GREENE COUNTY PROPERTY TAX ATLAS. (PUD 16-2)

Whereas, Oberer Land Developers, Ltd., 3475 Newmark Drive, Miamisburg, OH 45342 requests rezoning and concept plan approval; and

Whereas, the City of Beavercreek Planning Commission has recommended approval of the rezoning amendment with conditions and requirements; and

WHEREAS, Beavercreek City Council finds that the facts submitted with the application and presented at the public hearing and any modifications, amendments, or supplementary conditions satisfy the standards and criteria for Planned Unit Development approval as per §158.065 of the Zoning Code; and

WHEREAS, Beavercreek City Council finds that, pursuant to §158.071 of the Zoning Code, each and all of the included uses are appropriate for this specific Planned Unit Development; and

WHEREAS, Beavercreek City Council has voted to adopt the recommendation of the Planning Commission with modifications, this being a decision that requires approval by four members of Council.

NOW THEREFORE THE MUNICIPALITY OF BEAVERCREEK HEREBY ORDAINS:

SECTION I

That the Zoning Map referenced in §158.018 of the Zoning Code is hereby further amended to change approximately 67.91 acres of land, located 1,250 feet north and 1,675 feet east of the intersection of Grange Hall Road and Shakertown Road,

Agenda Item VII. B.
Second Reading

known as B42000300130002900 and B42000300130003000, and as further described in the attached "Exhibit A" be rezoned to R-PUD Residential Planned Unit Development.

SECTION II

1. The specific site plan shall generally conform to the plans dated "Received July 1st, 2016", as modified herein.
2. Principal and accessory uses permitted in this Residential Planned Unit Development shall be those uses permitted in the R-1A zoning district. The Conditional Uses within the R-1A zoning district shall not be permitted.
3. Maximum density for this R- PUD shall be 2.13 dwelling units per acre.
4. Total units for the R-PUD shall not exceed 145 dwelling units.
5. Minimum Building Setbacks for this PUD are as follows:
 - a) All lots shall have a 35-foot minimum front yard with the exception of Lots 1-16 and 105-107 which shall have a 30 foot minimum front yard
 - b) All lots shall have a 30-foot minimum rear yard setback (except Lots 1-16 and 105-107, which will have a minimum 20 foot rear yard setback)
 - c) 5-foot minimum side yard; total of both side yards 15 feet minimum
6. Points of access and vehicular circulation as shown on the concept plan are subject to City of Beavercreek final review and approval at the specific site plan stage.
7. Building plans, designs and elevations for residential structures within this project shall be subject to review and approval by Planning Commission and City Council at specific site plan stage.
8. The applicant shall be required to pay all applicable park fees, or dedicate parkland in lieu of park fees as determined by the City Manager, Planning Department and/or Parks Department prior to releasing the record plan for recording.

Agenda Item VII. B.
Second Reading

9. There shall be a street connection with River Hills Road to the north.

SECTION III

It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that any and all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including, but not limited to Section 121.22 of the Ohio Revised Code.

SECTION IV

This Ordinance shall take effect from and after the earliest period allowed by law.

PASSED this _____ day of _____, 2016.

Bob Stone, Mayor

ATTEST:

Dianne Lampton, Clerk of Council

SUMMARY

This Ordinance adopts a recommendation to rezone approximately 67.91 acres of land located approximately 1,250 feet north and 1,675 feet east of the intersection of Grange Hall Road and Shakertown Road, from A-1 and R-1A to R-PUD Residential Planned Unit Development.

This is not an emergency ordinance and will become effective 30 days after passage.

PUD 16-2 Creekstone Ordinance

ORDINANCE NO. 16-21

CITY OF BEAVERCREEK

SPONSORED BY COUNCIL MEMBER _____ ON THE _____ DAY OF _____, 2016.

AN ORDINANCE ADOPTING NEW SECTION 158.126 "KEEPING OF CHICKENS IN RESIDENTIAL DISTRICTS" OF THE CITY OF BEAVERCREEK CODE OF ORDINANCES.

WHEREAS, the City Council has determined that it would be in the best interest of the City to adopt a new Section 158.126 in Chapter 158 "Zoning Code" of the City of Beavercreek Code of Ordinances.

NOW, THEREFORE, THE CITY OF BEAVERCREEK, COUNTY OF GREENE, OHIO, HEREBY ORDAINS:

SECTION I.

New Section 158.126 "KEEPING OF CHICKENS IN RESIDENTIAL DISTRICTS" is hereby enacted as follows.

§ 158.126 KEEPING OF CHICKENS IN RESIDENTIAL DISTRICTS.

The keeping of chickens (*Gallus gallus domesticus*) is prohibited in the City of Beavercreek, except where an *AGRICULTURAL ACTIVITY* is permitted, or on properties used for one-family residential purposes under the following conditions:

(A) General Regulation.

- (1) *Maximum number of chickens.* The maximum number of chickens shall be based on the following lot sizes:
 - (a) Lots less than 15,000 square feet shall not be permitted to keep or house chickens.
 - (b) Lots that are 15,000 square feet or greater shall be permitted a maximum of six (6) chickens.
 - (c) Chickens shall not be permitted on multi-family or two-family residentially zoned properties.

(2) *Roosters.* Rooster shall not be permitted to be housed or kept on any residentially zoned property within the City.

(3) *Chicken pens or chicken coops.* The chicken pen or chicken coop shall conform to the following standards:

- (a) Coops must be constructed of solid wood, composite or vinyl material and be constructed so as to prevent rodents, wild birds, predators, dogs, and cats from accessing feed and the chickens.
- (b) Pens shall only be permitted in the rear yard of the property, completely to the rear of the primary structure.
- (c) Pens may not be located any closer than twenty (20) feet from any property line of an adjacent property.
- (d) Pens must be kept clean, dry, odor-free and free from accumulated manure. Any stored manure must be kept in a fully enclosed structure of container.

(4) *Processing of Chickens.* Chickens shall not be permitted to be slaughtered.

(5) *Nuisances.* Odors from chickens, chicken manure, or other chicken-related substances shall not be perceptible at the property boundaries. The property owner and/or chicken owner shall take all necessary action to reduce the attraction of predators and rodents and the potential infestation of insects and predators and parasites that may result in unhealthy conditions to human habitation. Should said infestation occur, the chickens and/or parasites and insects may be removed by the City, through the Greene County animal control officer, or other designee, and the cost of the same shall be borne by the property owner and/or chicken owner.

(B) *Permits required.*

- (1) An accessory structure permit is required prior to the construction of the chicken coop. Coops shall be a maximum of 100 total square feet, have a maximum height of 10 feet, and shall not count toward the maximum allowed square footage of accessory structures in a residential district, as defined in 158.104(E)(1).
- (2) Prior to the introduction of chickens to the chicken coop, the property owner or his designee must apply for, and receive a separate permit for the keeping of chickens in a residential district.
- (3) *Revocation of permit.* The permit to keep chickens may be revoked by the City where there is a risk to public health or safety, or for any violations of or failure to comply with any of the provisions of this section.

(C) *Sunset Provision.* These regulations are temporary and are considered to be valid for one year from the date it becomes effective. City Council shall re-evaluate these regulations and could make changes that could include the repealing of this subsection of the Zoning Code and requiring the removal of all previously approved

chickens. Persons applying for a permit to keep chickens within the first year shall be made aware, as stated on the permit, that they may have to remove the chickens should Council choose not to renew these regulations after the one year period.

(D) *Violations.* Any property containing chickens which fails to meet the requirements of this section shall be deemed to be in violation of this section and of the Zoning Code.

SECTION II.

It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that any and all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including, but not limited to Section 121.22 of the Ohio Revised Code.

SECTION III.

This Ordinance shall take effect at the earliest date allowed by law.

PASSED this ____ day of _____, 2016.

MAYOR

ATTEST:

CLERK OF BEAVERCREEK COUNCIL

PREPARED BY: CITY ATTORNEY

SUMMARY

THIS ORDINANCE ADOPTS NEW SECTION 158.126 "KEEPING OF CHICKENS IN RESIDENTIAL DISTRICTS" OF THE CITY OF BEAVERCREEK CODE OF ORDINANCES. THIS IS NOT AN EMERGENCY ORDINANCE AND WILL BECOME EFFECTIVE THIRTY (30) DAYS AFTER PASSAGE.

interoffice
MEMORANDUM

To: Beavercreek City Council

From: Dianne Lampton, Clerk of Council 

Subject: Certified Public Records Training

Date: September 8, 2016

Council needs to appoint the Clerk of Council, Dianne Lampton, as their designee to attend public records training. This is per the Ohio Revised Code Section 109.43(E)1 stating all elected officials or their designees are required, once per elected term, to attend a three hour Public Records training program approved by the Attorney General.

The Clerk of Council will be attending a Public Records Training, Wednesday, September 28, 2016.

A motion is required to appoint the designee. A sample of the motion is as follows:

"I hereby move Beavercreek City Council appoint Clerk of Council, Dianne Lampton as their designee to attend public records training per Ohio Revised Code Section 109.43."

Please do not hesitate to contact me if you have any questions. Thank you.

interoffice
MEMORANDUM

To: Beavercreek City Council

From: Dianne Lampton, Clerk of Council

Subject: Appointments - Boards, Commissions, and Committees

Date: September 8, 2016

JMC 9/8/16

Attached are the applications received for the current open vacancies.

The appointments you will be making will be for the open vacant terms

Parks, Recreation and Culture Board

1 Vacant Term
03/01/16 – 02/28/19

Youth Development Committee

2 Vacant Terms Minimum
Although there is no maximum number of committee members there is an understanding to maintain a minimum of 7 members

Environmental Advisory Board

6 Vacant Terms
03/01/16 – 02/28/19
03/01/16 – 02/28/19
03/01/16 – 02/28/19
03/01/15 – 02/28/18
03/01/15 – 02/28/18
03/01/14 – 02/28/17

2016 Board Commission Applicants

	Last Name	First Name	Incumbent	Board of Zoning Appeals Bikeway Advisory	Board of Zoning Appeals	Environmental	Greene County Board of Health Impact Fee Appeals	Investment	Parks, Recreation & Culture	Personnel	Planning Commission	Youth Council	Tax Incentive Review Council
VACANCIES						6			1				
1	Akers	Tiffany							4	3	2	1	
2	Bieghler	Cynthia		2					1				
3	Carter	Joyce							1				
4	Funk	Laura				1							
5	Hollen	Jennifer		2					3			1	
6	Howard	Ashley						3		2		1	
7	Kunay	Jeanne				3						1	
8													
9													
10													
11													
12													
13													
14													
15													
16													
17													
18													
19													
20													
21													
22													
23													

* Incumbent

PARKS, RECREATION & CULTURE APPLICANTS

1 VACANCY (Fill Vacant Term through February 28, 2018)

MEETINGS: Second Tuesday of each month.

DUTIES: Shall recommend a program for the conduct of public parks, recreational and cultural facilities and advise Council on recreational matters.

Members must be electors of the City. The term is for three years. A member of a board or commission shall not hold any other elected or appointed office in the City of Beavercreek or be an employee thereof. Members shall serve without compensation. Positions begin on March 1, 2016.

Print

Application for City Board or Commission - Submission #735

Date Submitted: 8/22/2016

First Name

Tiffany

Last Name

Akers

//

//

Home Phone

740-509-1016

Cell Phone

740-509-1016

Work Phone

937-904-5942

//

//

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Email Address

tiffany.akers22@yahoo.com

//

Address1

3527 Onyx Cir.

//

Address2

Apt. 3

//

City

Beavercreek

State

OH

Zip

45431

//

//

//

Are you currently registered to vote in the City of Beavercreek?

Yes

No

Length of time your have lived in the City of Beavercreek:

3

//

Employer

WPAFB

Occupation

Attorney

//

//

Address1

2240 B St.

//

Address2

Bldg 11

//

City

WPAFB

State

OH

Zip

45433

//

//

//

High School

Shenandoah High School

Year Graduated

2006

//

//

College or Training

Ohio Northern University

Year Graduated

2010

//

//

Other

University of Dayton School of Law

Year Graduated

2013

//

//

Have you ever been a member of any city board or commission?

Yes

No

If yes, please list the board(s) / commission(s), including number of terms:

//

I would like to be considered for the appointment to one of the following boards / commissions (please number in order of preference to those boards you are interested in):

Bikeway & Non-Motorized Transportation Advisory Committee

Personnel Board

3

//

//

Board of Zoning Appeals

Planning Commission

//

//

Environmental Advisory Committee

Tax Incentive Review Council

//

//

Impact Fee Appeals Board

Youth Development Committee

1

//

//

Investment Committee

Greene County Board of Health

//

//

Parks, Recreation & Culture Board

**Greene Metropolitan
Housing Authority
Board**

4

//

//

Please describe your background. Include any abilities, skills, licenses, certificates, specialized training, or interests you have which are applicable to the board or commission for which you have applied. (If possible, please attach a copy of your resume):

I am currently an Acquisition Fraud Attorney for the Air Force. In this position, I coordinate civil, criminal, contractual and administrative remedies on major systems fraud cases affecting the Air Force. I am also an Adjunct Professor at Sinclair Community College. Prior to taking these positions, I worked for the Montgomery County Prosecutor's Office in the Child Protection Unit and the Washington D.C. Dept. of Youth Rehabilitation, which demonstrates my interest in developing youth.

//

Resume

Akers Tiffany- Resume (Aug 2016).pdf

Please explain why you want to be a board/commission member

I would like to be a board/commission member because I believe commitment and dedication to your community and government is an essential civic duty. At this time, I am applying for the vacancy on the Youth Development Committee. As demonstrated by my prior employment, I have always had a passion for ensuring the development of our youth. The youth of Beavercreek will grow up to eventually lead our community. Investing time, mentoring and instilling leadership skill in the young people of Beavercreek will pay dividends in the long run. Developing these skills now ensures our community will be left in the hands of individuals who learned the significance of local government at a young age. My intent is to remain in Beavercreek and I cannot express how excited and honored I would be to take the first step in becoming a contributing member of the Beavercreek government.

//

Please list present membership in any community service or civic organization, of any.

Beavercreek Young Professionals
WPAFB Junior Force Council
Montgomery County Reclaiming Futures: Natural Helper

//

Print

Application for City Board or Commission - Submission #494

Date Submitted: 1/25/2016

First Name

Cynthia

Last Name

Bieghler

Home Phone

Cell Phone

937.620.5243

Work Phone

Email Address

cynthiabieghler@yahoo.com

Address1

1813 N. Central Drive

Address2

City

Beavercreek

State

OH

Zip

45432

Are you currently registered to vote in the City of Beavercreek?

Yes

No

Length of time your have lived in the City of Beavercreek:

7 years

Employer

No Longer Employed

Occupation

Former Parks Maintenance and Security Officer

Address1

N/A

Address2

City

State

Zip

High School

Year Graduated

Crawfordsville High School

1981

College or Training

Year Graduated

Other

Year Graduated

Have you ever been a member of any city board or commission?

Yes

No

If yes, please list the board(s) / commission(s), including number of terms:

Impact Fee Appeals Board, 1 term, 2010-2013

I would like to be considered for the appointment to one of the following boards / commissions (please number in order of preference to those boards you are interested in):

Bikeway & Non-Motorized Transportation Advisory Committee

2

Personnel Board

Board of Zoning Appeals

Planning Commission

Environmental Advisory Committee

3

Tax Incentive Review Council

Impact Fee Appeals Board

Youth Development Committee

Investment Committee

Greene County Board of Health

Parks, Recreation & Culture Board

1

Greene Metropolitan Housing Authority Board

Please describe your background. Include any abilities, skills, licenses, certificates, specialized training, or interests you have which are applicable to the board or commission for which you have applied. (If possible, please attach a copy of your resume):

I previously worked in parks maintenance where I engaged in such wide-ranging tasks as mowing, trimming weeds/trees/shrubbery, other landscaping, collecting trash, painting, cleaning and maintaining equipment, upgrading playground equipment, repairing fences, installing roofing, cleaning restrooms, watering plants, and participating in "controlled burns" for fire safety. I completed the Grounds and Facilities Maintenance Management School conducted by the Ohio Parks & Recreation Association at Deer Creek State Park in December 2004.

Resume

Cynthia J Bieghler Resume (For Appointment to City of Beavercreek Parks Board).doc

Please explain why you want to be a board/commission member

I previously worked in parks maintenance, which I thoroughly enjoyed, until an injury forced me to leave that field and enter the field of security. However, I have maintained my passion for green spaces and other recreational areas. One of my biggest areas of concern are providing safe places for people to recreate in. Whether it be playground equipment for children, well-maintained and signed hiking trails, or safely paved bikeways, I believe in making people's fun to be as safe as humanly possible. I also believe strongly in keeping grassy areas mowed, weeds & trees trimmed, trash picked up, and buildings/equipment/trash receptacles painted & maintained. I would like to use my experience and passion for parks, bikeways, and the overall environment to help Beavercreek lead the region in well-maintained and well-used recreational areas.

Please list present membership in any community service or civic organization, of any.

Member of both Beavercreek & Xenia Republican Women's Clubs.

Cynthia J. "CJ" Bieghler

1813 N. Central Drive | Beavercreek, OH 45432 | 937.620.5243 | cynthiajbieghler@yahoo.com

Summary of Qualifications

- ✓ Gained reputation as proven professional with absolute integrity, measured assertiveness, effective communication skills, and sharp attention to details
- ✓ Highly reliable and dependable
- ✓ Experienced in various high-profile roles

Work History

August 2014-August 2015

Security Officer

Hollywood Gaming at Dayton Raceway, Dayton, Ohio

- ✓ Performed security operations in brand new gaming & horse-racing establishment as part of large integrated security team

February 2011-September 2013

Security Officer/Dispatcher,

Merchants Security, Dayton, Ohio

- ✓ Served as radio dispatcher to direct road crew/maintenance trucks to proper destinations ensuring prompt service by Montgomery County Engineer's operations staff to a population of over 180,000 people
- ✓ Demonstrated leadership skills while serving as site's Lead Security Officer
- ✓ Performed armed-guard prisoner watches for Montgomery County Sheriff's Department at various medical facilities on an as-needed basis
- ✓ Recognized by management and staff as self-motivated and efficient

February 2006-October 2006

Perimeter Security Officer (Seasonal),

Paramount's Kings Island, Kings Mills, Ohio

- ✓ Controlled employee access to entertainment theme-park which employed thousands of people
- ✓ Provided security surveillance and controlled access to special patron parking areas

March 2002-February 2006

Park Technician,

Five Rivers MetroParks, Dayton, Ohio

- ✓ Performed park and building maintenance for well-known regional parks cooperative
- ✓ Mowed and trimmed weeds in large, grassy park areas
- ✓ Performed grounds maintenance by repairing fences, painting trash receptacles, collecting trash, and cleaning restroom facilities on daily basis
- ✓ Maintained park buildings by installing roofing, painting, hanging drywall, and mounting cabinets
- ✓ Led effort to upgrade playground equipment for safety of children
- ✓ Assisted the horticultural specialist with watering and caring for plants at downtown showcase park
- ✓ Operated nail gun, power-washer, and other heavy-duty equipment
- ✓ Trained extensively in fire safety including participating in "controlled burns"
- ✓ Answered questions from members of the public regarding various park activities

September 2001-December 2001

Public Works (Seasonal)

City of Oakwood (via Manpower Associates)

Oakwood, Ohio

- ✓ Operated leaf vacuum/mulcher to collect residential leaves for recycling into mulch during fall-season leaf pick-up

April 2001-October 2001

Operations Technician (Seasonal)

Centerville-Washington Park District

Centerville, Ohio

- ✓ Performed a variety of park maintenance operations in over 20 parks in the Centerville-Washington Township area including mowing grass, trimming weeds, landscaping, fuel preparation, trailer hauling, painting, garbage collection, and maintaining clean restroom facilities
- ✓ Served as part-time crew chief for baseball diamond preparation
- ✓ Assisted in planting over a dozen Blue Spruce seedlings as part of park revitalization

Education

- ✓ Graduated Crawfordsville High School, Crawfordsville, Indiana – May 1981
- ✓ Completed Grounds and Facilities Maintenance Management School conducted by Ohio Parks & Recreation Association at Deer Creek State Park – December 2004
- ✓ Completed Paramount's Kings Island Perimeter-access Training Course – March 2006
- ✓ Completed Ohio Peace Officer Training Academy (OPOTA) armed-guard certification course – May 2011 and re-certified in October 2012

Cynthia J. "CJ" Bieghler

1813 N. Central Drive | Beavercreek, OH 45432 | 937.620.5243 | cynthiabieghler@yahoo.com

Summary of Qualifications

- ✓ Gained reputation as proven professional with absolute integrity, measured assertiveness, effective communication skills, and sharp attention to details
- ✓ Highly reliable and dependable
- ✓ Experienced in various high-profile roles

Work History

August 2014-August 2015

Security Officer

Hollywood Gaming at Dayton Raceway, Dayton, Ohio

- ✓ Performed security operations in brand new gaming & horse-racing establishment as part of large integrated security team

February 2011-September 2013

Security Officer/Dispatcher,

Merchants Security, Dayton, Ohio

- ✓ Served as radio dispatcher to direct road crew/maintenance trucks to proper destinations ensuring prompt service by Montgomery County Engineer's operations staff to a population of over 180,000 people
- ✓ Demonstrated leadership skills while serving as site's Lead Security Officer
- ✓ Performed armed-guard prisoner watches for Montgomery County Sheriff's Department at various medical facilities on an as-needed basis
- ✓ Recognized by management and staff as self-motivated and efficient

February 2006-October 2006

Perimeter Security Officer (Seasonal),

Paramount's Kings Island, Kings Mills, Ohio

- ✓ Controlled employee access to entertainment theme-park which employed thousands of people
- ✓ Provided security surveillance and controlled access to special patron parking areas

March 2002-February 2006

Park Technician,

Five Rivers MetroParks, Dayton, Ohio

- ✓ Performed park and building maintenance for well-known regional parks cooperative
- ✓ Mowed and trimmed weeds in large, grassy park areas
- ✓ Performed grounds maintenance by repairing fences, painting trash receptacles, collecting trash, and cleaning restroom facilities on daily basis
- ✓ Maintained park buildings by installing roofing, painting, hanging drywall, and mounting cabinets
- ✓ Led effort to upgrade playground equipment for safety of children
- ✓ Assisted the horticultural specialist with watering and caring for plants at downtown showcase park
- ✓ Operated nail gun, power-washer, and other heavy-duty equipment
- ✓ Trained extensively in fire safety including participating in "controlled burns"
- ✓ Answered questions from members of the public regarding various park activities

September 2001-December 2001

Public Works (Seasonal)

City of Oakwood (via Manpower Associates)

Oakwood, Ohio

- ✓ Operated leaf vacuum/mulcher to collect residential leaves for recycling into mulch during fall-season leaf pick-up

April 2001-October 2001

Operations Technician (Seasonal)

Centerville-Washington Park District

Centerville, Ohio

- ✓ Performed a variety of park maintenance operations in over 20 parks in the Centerville-Washington Township area including mowing grass, trimming weeds, landscaping, fuel preparation, trailer hauling, painting, garbage collection, and maintaining clean restroom facilities
- ✓ Served as part-time crew chief for baseball diamond preparation
- ✓ Assisted in planting over a dozen Blue Spruce seedlings as part of park revitalization

Education

- ✓ Graduated Crawfordsville High School, Crawfordsville, Indiana – May 1981
- ✓ Completed Grounds and Facilities Maintenance Management School conducted by Ohio Parks & Recreation Association at Deer Creek State Park – December 2004
- ✓ Completed Paramount's Kings Island Perimeter-access Training Course – March 2006
- ✓ Completed Ohio Peace Officer Training Academy (OPOTA) armed-guard certification course – May 2011 and re-certified in October 2012

Print

Application for City Board or Commission - Submission #718

Date Submitted: 8/3/2016

First Name

Joyce

Last Name

Carter

//

//

Home Phone

937-429-2096

Cell Phone

937-750-1070

Work Phone

937-918-2293

//

//

//

Email Address

joyceuconn@sbcglobal.net

//

Address1

1863 Rich Ct.

//

Address2

//

City

Beavercreek

State

Oh

Zip

45432

//

//

//

Are you currently registered to vote in the City of Beavercreek?

Yes

No

Length of time you have lived in the City of Beavercreek:

25+ years

//

Employer

Projects Unlimited, Inc.

Occupation

Director of Human Resources

//

//

Address1

6300 Sand Lake Road

//

Address2

//

City

State

Zip

Dayton

Oh

45414

//

//

//

High School

Year Graduated

Torrington High School

1974

//

//

College or Training

Year Graduated

University of Connecticut

1978

//

//

Other

Year Graduated

University of Dayton

Masters work

//

//

Have you ever been a member of any city board or commission?

Yes

No

If yes, please list the board(s) / commission(s), including number of terms:

Board of Education - completed a term for resigning member

//

I would like to be considered for the appointment to one of the following boards / commissions (please number in order of preference to those boards you are interested in):

Bikeway & Non-Motorized Transportation Advisory Committee

Personnel Board

//

//

Board of Zoning Appeals

Planning Commission

//

//

Environmental Advisory Committee

Tax Incentive Review Council

//

//

Impact Fee Appeals Board

Youth Development Committee

//

//

Investment Committee

Greene County Board of Health

//

//

Parks, Recreation & Culture Board

Greene Metropolitan Housing Authority Board

1

//

//

Please describe your background. Include any abilities, skills, licenses, certificates, specialized training, or interests you have which are applicable to the board or commission for which you have applied. (If possible, please attach a copy of your resume):

I have been a business leader and partner for many years, as I have led several departments in the field of Human Resources - including 5/3 VP of HR and University of Dayton VP of HR. I have had many years of experience negotiating benefits rates, union contracts, and business deals. My communication skills and business acumen would make me a contributing member of the Board.

I am also very familiar with the duties and responsibilities of a community board, having served on the Board of Ed in Beavercreek, as well as the YMCA board of directors, Ronald McDonald House Charities, Aullwood Board of Directors, Artemis Center and Dayton Boys and Girls Clubs.

//

Resume

Choose File No file chosen

Please explain why you want to be a board/commission member

It's all about giving back to the community. Beavercreek has been a wonderful place to raise my children, and I couldn't be happier with the state of our parks and recreation (Rotary was a second home for us for many years). I would like to provide my time and talents to maintaining and improving the state of our parks and culture. I have a deep affinity for encouraging the love of the arts, and I believe my knowledge and skills could be of value to my community.

//

Please list present membership in any community service or civic organization, of any.

Aullwood Board of Directors

YMCA Board of Directors/personnel committee

See above answer for some of my past board memberships

Working with Ronald McDonald House Charities on a compensation project

//

Print

Application for City Board or Commission - Submission #722

Date Submitted: 8/8/2016

First Name

Jennifer

Last Name

Hollen

//

//

Home Phone

Cell Phone

330.858.2605

Work Phone

//

//

//

Email Address

jenniferhollen822@gmail.com

//

Address1

2340 Banyon Drive

//

Address2

//

City

Beavercreek

State

Ohio

Zip

45431

//

//

//

Are you currently registered to vote in the City of Beavercreek?

Yes

No

Length of time your have lived in the City of Beavercreek:

2 years

//

Employer

Centerville City Schools

Occupation

Long Term Substitute 2015/2016 Year

//

//

Address1

Address2

City

State

Zip

High School

Year Graduated

Centerville High School

2001

College or Training

Year Graduated

Ohio University

2005

Other

Year Graduated

University of Akron

2009

Have you ever been a member of any city board or commission?

Yes

No

If yes, please list the board(s) / commission(s), including number of terms:

I would like to be considered for the appointment to one of the following boards / commissions (please number in order of preference to those boards you are interested in):

Bikeway & Non-Motorized Transportation Advisory Committee

Personnel Board

2

Board of Zoning Appeals

Planning Commission

Environmental Advisory Committee

Tax Incentive Review Council

//

//

Impact Fee Appeals Board

Youth Development Committee

1

//

//

Investment Committee

Greene County Board of Health

//

//

Parks, Recreation & Culture Board

Greene Metropolitan
Housing Authority Board

3

//

//

Please describe your background. Include any abilities, skills, licenses, certificates, specialized training, or interests you have which are applicable to the board or commission for which you have applied. (If possible, please attach a copy of your resume):

I spent five years teaching at-risk students in South Carolina before moving to Beavercreek. In that role, I also worked with school faculty to foster relationships with students' families and community partners, while also serving as the 504 coordinator. I volunteered with Girls on the Run, which incorporated one of my favorite hobbies. I've participated in many races, including triathlons, and one of my family's favorite pastimes is going for bike rides on the bike path.

//

Resume

HollenResume.docx

Please explain why you want to be a board/commission member

I have very much enjoyed my time teaching and look forward to returning to the school system. However, while I stay at home for the next couple of years I am looking for ways to be involved in my community, especially ways that can provide a positive impact for my child. We chose to start our family in my husband's hometown because of its wonderful reputation and his experiences growing up in Beavercreek. I would love to find a way to help Beavercreek remain a great place to live.

//

Please list present membership in any community service or civic organization, of any.

NA

//

YOUTH DEVELOPMENT COMMITTEE

2 VACANCIES MINIMUM (may appoint more as there is no limit to the number of appointees to this committee)

MEETINGS: Second Thursday of each month

DUTIES: The primary functions and duties of the Committee shall be to organize teams to implement and promote youth programs and service learning projects that will service the needs of the community. The Committee shall make recommendations to the City Council and City Manager on youth community service volunteering and other matters concerning younger residents of the City. The senior members shall consist of parents of school age children or community leaders who reside in either the City of Beavercreek or Beavercreek Township.

Members must be electors of the City. The term is for two years. A member of a board or commission shall not hold any other elected or appointed office in the City of Beavercreek or be an employee thereof. Members shall serve without compensation. Positions begin on March 1, 2016.

Print

Application for City Board or Commission - Submission #735

Date Submitted: 8/22/2016

First Name

Tiffany

Last Name

Akers

//

//

Home Phone

740-509-1016

Cell Phone

740-509-1016

Work Phone

937-904-5942

//

//

//

Email Address

tiffany.akers22@yahoo.com

//

Address1

3527 Onyx Cir.

//

Address2

Apt. 3

//

City

Beavercreek

State

OH

Zip

45431

//

//

//

Are you currently registered to vote in the City of Beavercreek?

Yes

No

Length of time you have lived in the City of Beavercreek:

3

//

Employer

WPAFB

Occupation

Attorney

//

//

Address1

2240 B St.

//

Address2

Bldg 11

//

City

WPAFB

State

OH

Zip

45433

//

//

//

High School

Shenandoah High School

Year Graduated

2006

//

//

College or Training

Ohio Northern University

Year Graduated

2010

//

//

Other

University of Dayton School of Law

Year Graduated

2013

//

//

Have you ever been a member of any city board or commission?

Yes

No

If yes, please list the board(s) / commission(s), including number of terms:

//

I would like to be considered for the appointment to one of the following boards / commissions (please number in order of preference to those boards you are interested in):

Bikeway & Non-Motorized Transportation Advisory Committee

Personnel Board

3

//

//

Board of Zoning Appeals

Planning Commission

//

//

Environmental Advisory Committee

Tax Incentive Review Council

//

//

Impact Fee Appeals Board

Youth Development Committee

1

//

//

Investment Committee

Greene County Board of Health

//

//

Parks, Recreation & Culture Board

**Greene Metropolitan
Housing Authority
Board**

4

//

//

Please describe your background. Include any abilities, skills, licenses, certificates, specialized training, or interests you have which are applicable to the board or commission for which you have applied. (If possible, please attach a copy of your resume):

I am currently an Acquisition Fraud Attorney for the Air Force. In this position, I coordinate civil, criminal, contractual and administrative remedies on major systems fraud cases affecting the Air Force. I am also an Adjunct Professor at Sinclair Community College. Prior to taking these positions, I worked for the Montgomery County Prosecutor's Office in the Child Protection Unit and the Washington D.C. Dept. of Youth Rehabilitation, which demonstrates my interest in developing youth.

//

Resume

Akers Tiffany- Resume (Aug 2016).pdf

Please explain why you want to be a board/commission member

I would like to be a board/commission member because I believe commitment and dedication to your community and government is an essential civic duty. At this time, I am applying for the vacancy on the Youth Development Committee. As demonstrated by my prior employment, I have always had a passion for ensuring the development of our youth. The youth of Beavercreek will grow up to eventually lead our community. Investing time, mentoring and instilling leadership skill in the young people of Beavercreek will pay dividends in the long run. Developing these skills now ensures our community will be left in the hands of individuals who learned the significance of local government at a young age. My intent is to remain in Beavercreek and I cannot express how excited and honored I would be to take the first step in becoming a contributing member of the Beavercreek government.

//

Please list present membership in any community service or civic organization, of any.

Beavercreek Young Professionals
WPAFB Junior Force Council
Montgomery County Reclaiming Futures: Natural Helper

//

Print

Application for City Board or Commission - Submission #722

Date Submitted: 8/8/2016

First Name

Jennifer

Last Name

Hollen

//

//

Home Phone

Cell Phone

330.858.2605

Work Phone

//

//

//

Email Address

jenniferhollen822@gmail.com

//

Address1

2340 Banyon Drive

//

Address2

//

City

Beavercreek

State

Ohio

Zip

45431

//

//

//

Are you currently registered to vote in the City of Beavercreek?

Yes

No

Length of time your have lived in the City of Beavercreek:

2 years

//

Employer

Centerville City Schools

Occupation

Long Term Substitute 2015/2016 Year

//

//

Address1

Address2

City

State

Zip

High School

Year Graduated

Centerville High School

2001

College or Training

Year Graduated

Ohio University

2005

Other

Year Graduated

University of Akron

2009

Have you ever been a member of any city board or commission?

Yes

No

If yes, please list the board(s) / commission(s), including number of terms:

I would like to be considered for the appointment to one of the following boards / commissions (please number in order of preference to those boards you are interested in):

Bikeway & Non-Motorized Transportation Advisory Committee

Personnel Board

2

Board of Zoning Appeals

Planning Commission

Environmental Advisory Committee

Tax Incentive Review Council

//

//

Impact Fee Appeals Board

Youth Development Committee

1

//

//

Investment Committee

Greene County Board of Health

//

//

Parks, Recreation & Culture Board

Greene Metropolitan
Housing Authority Board

3

//

//

Please describe your background. Include any abilities, skills, licenses, certificates, specialized training, or interests you have which are applicable to the board or commission for which you have applied. (If possible, please attach a copy of your resume):

I spent five years teaching at-risk students in South Carolina before moving to Beavercreek. In that role, I also worked with school faculty to foster relationships with students' families and community partners, while also serving as the 504 coordinator. I volunteered with Girls on the Run, which incorporated one of my favorite hobbies. I've participated in many races, including triathlons, and one of my family's favorite pastimes is going for bike rides on the bike path.

//

Resume

HollenResume.docx

Please explain why you want to be a board/commission member

I have very much enjoyed my time teaching and look forward to returning to the school system. However, while I stay at home for the next couple of years I am looking for ways to be involved in my community, especially ways that can provide a positive impact for my child. We chose to start our family in my husband's hometown because of its wonderful reputation and his experiences growing up in Beavercreek. I would love to find a way to help Beavercreek remain a great place to live.

//

Please list present membership in any community service or civic organization, of any.

NA

//

Print

Application for City Board or Commission - Submission #723

Date Submitted: 8/9/2016

First Name

Ashley

Last Name

Howard

//

//

Home Phone

937-427-2722

Cell Phone

937-474-9472

Work Phone

474-9472

//

//

//

Email Address

howaras@mail.uc.edu

//

Address1

3504 Apple Grove Dr.

//

Address2

//

City

Beavercreek

State

OH

Zip

45430

//

//

//

Are you currently registered to vote in the City of Beavercreek?

Yes

No

Length of time your have lived in the City of Beavercreek:

20+

//

Employer

University of Cincinnati

Occupation

Student

//

//

Address1

Address2

City

Cincinnati

State

OH

Zip

45204

High School

Beavercreek

Year Graduated

2015

College or Training

University of Cincinnati

Year Graduated

2018

Other

Year Graduated

Have you ever been a member of any city board or commission?

Yes

No

If yes, please list the board(s) / commission(s), including number of terms:

I would like to be considered for the appointment to one of the following boards / commissions (please number in order of preference to those boards you are interested in):

Bikeway & Non-Motorized Transportation Advisory Committee

12

Personnel Board

2

Board of Zoning Appeals

4

Planning Commission

6

Environmental Advisory Committee

8

//

Tax Incentive Review Council

5

//

Impact Fee Appeals Board

9

//

Youth Development Committee

1

//

Investment Committee

3

//

Greene County Board of Health

7

//

Parks, Recreation & Culture Board

11

//

Greene Metropolitan Housing Authority Board

10

//

Please describe your background. Include any abilities, skills, licenses, certificates, specialized training, or interests you have which are applicable to the board or commission for which you have applied. (If possible, please attach a copy of your resume):

//

Resume

Ashley Howard Resume 2016-2.docx

Please explain why you want to be a board/commission member

I would like to be a board/commission member because I grew up in this vivacious and ever-growing community and want to serve it as well as it serve me throughout my entire life. I love Beavercreek with complete enthralment and want to give back to the community that gave me everything.

//

Please list present membership in any community service or civic organization, of any.

University of Cincinnati College of Republicans, Greene County Ohio Republican Party, Intern for Hamilton County Clerk of Courts, current student of the University of Cincinnati

//

Print

Application for City Board or Commission - Submission #719

Date Submitted: 8/3/2016

First Name

Jeanne

Last Name

Kunay

//

//

Home Phone

9377500719

Cell Phone

9377500719

Work Phone

//

//

//

Email Address

mskunay@gmail.com

//

Address1

1250

//

Address2

//

City

Beavercreek

State

Ohio

Zip

45434-8027

//

//

//

Are you currently registered to vote in the City of Beavercreek?

Yes

No

Length of time your have lived in the City of Beavercreek:

40 years

//

Employer

Ridgewood School

Occupation

Headmaster

//

//

Address1

2420 St. Paris Pike

//

Address2

//

City

State

Zip

Springfield

oh

45504

//

//

//

High School

Year Graduated

Torrington High School Connecticut

1971

//

//

College or Training

Year Graduated

University of Connecticut

1975

//

//

Other

Year Graduated

University of Dayton

2002

//

//

Have you ever been a member of any city board or commission?

Yes

No

If yes, please list the board(s) / commission(s), including number of terms:

//

I would like to be considered for the appointment to one of the following boards / commissions (please number in order of preference to those boards you are interested in):

Bikeway & Non-Motorized Transportation Advisory Committee

Personnel Board

//

//

Board of Zoning Appeals

Planning Commission

//

//

Environmental Advisory Committee

Tax Incentive Review Council

3

//

//

Impact Fee Appeals Board

Youth Development Committee

1

//

//

Investment Committee

Greene County Board of Health

//

//

Parks, Recreation & Culture Board

Greene Metropolitan
Housing Authority Board

2

//

//

Please describe your background. Include any abilities, skills, licenses, certificates, specialized training, or interests you have which are applicable to the board or commission for which you have applied. (If possible, please attach a copy of your resume):

I am a retired educator, having served as a high school teacher for 28 years, a high school principal for 5 years, headmaster of a private school (K-8) for 2 years, and an adjunct instructor at WSU. I am fully licensed for all of those positions.

//

Resume

No file chosen

Please explain why you want to be a board/commission member

Now that I am retired, I have time to serve the community where I have lived my entire adult life and raised my children. My grandchildren are now Beavercreek kids.

//

Please list present membership in any community service or civic organization, of any.

I am presently not involved, as my career took so much time. I did, however, complete the first Citizens' Police Academy.

//

ENVIRONMENTAL ADVISORY APPLICANTS

6 VACANCIES

MEETINGS: Second Tuesday of each month.

DUTIES: To assist Council in developing policies and regulations to protect the environment.

Members must be electors of the City. The term is for three years. A member of a board or commission shall not hold any other elected or appointed office in the City of Beavercreek or be an employee thereof. Members shall serve without compensation. Positions begin on March 1, 2016.

Print

Application for City Board or Commission - Submission #726

Date Submitted: 8/13/2016

First Name

Laura

Last Name

Funk

Home Phone

9379125970

Cell Phone

9377603087

Work Phone

Email Address

laurafunk5a@gmail.com

Address1

4437 Havasu Court

Address2

City

Beavercreek

State

OH

Zip

45431

Are you currently registered to vote in the City of Beavercreek?

Yes

No

Length of time your have lived in the City of Beavercreek:

6 years

Employer

Amec Foster Wheeler Environment & Infrastructure, Inc.

Occupation

Senior Project Manager

Address1

521 Byers Road, Suite 204

Address2

City

Miamisburg

State

OH

Zip

45342

High School

Kenton Ridge High School

Year Graduated

1993

College or Training

Ohio University

Year Graduated

1997

Other

University of Findlay

Year Graduated

2003

Have you ever been a member of any city board or commission?

Yes

No

If yes, please list the board(s) / commission(s), including number of terms:

I would like to be considered for the appointment to one of the following boards / commissions (please number in order of preference to those boards you are interested in):

Bikeway & Non-Motorized Transportation Advisory Committee

Personnel Board

Board of Zoning Appeals

Planning Commission

Environmental Advisory Committee

1

Tax Incentive Review Council

Impact Fee Appeals Board

Youth Development Committee

Investment Committee

Greene County Board of Health

Parks, Recreation & Culture Board

**Greene Metropolitan
Housing Authority Board**

Please describe your background. Include any abilities, skills, licenses, certificates, specialized training, or interests you have which are applicable to the board or commission for which you have applied. (If possible, please attach a copy of your resume):

I have 17 years of environmental consulting experience, working on environmental assessment and remediation projects guided by federal and state regulatory programs. I have a Bachelor of Science in Environmental Geology and a Master of Science in Environmental Safety and Health Management. I am a Certified Professional for the Ohio Voluntary Action Program.

Resume

No file chosen

Please explain why you want to be a board/commission member

I would like to volunteer for the Environmental Advisory Committee as a way of serving the community.

Please list present membership in any community service or civic organization, of any.

Print

Application for City Board or Commission - Submission #719

Date Submitted: 8/3/2016

First Name

Jeanne

Last Name

Kunay

Home Phone

9377500719

Cell Phone

9377500719

Work Phone

Email Address

mskunay@gmail.com

Address1

1250

Address2

City

Beavercreek

State

Ohio

Zip

45434-8027

Are you currently registered to vote in the City of Beavercreek?

Yes

No

Length of time your have lived in the City of Beavercreek:

40 years

Employer

Ridgewood School

Occupation

Headmaster

Address1

2420 St. Paris Pike

Address2

City

Springfield

State

oh

Zip

45504

High School

Torrington High School Connecticut

Year Graduated

1971

College or Training

University of Connecticut

Year Graduated

1975

Other

University of Dayton

Year Graduated

2002

Have you ever been a member of any city board or commission?

Yes

No

If yes, please list the board(s) / commission(s), including number of terms:

I would like to be considered for the appointment to one of the following boards / commissions (please number in order of preference to those boards you are interested in):

Bikeway & Non-Motorized Transportation Advisory Committee

Personnel Board

Board of Zoning Appeals

Planning Commission

Environmental Advisory Committee

3

Tax Incentive Review Council**Impact Fee Appeals Board****Youth Development Committee**

1

Investment Committee**Greene County Board of Health****Parks, Recreation & Culture Board****Greene Metropolitan
Housing Authority Board**

2

Please describe your background. Include any abilities, skills, licenses, certificates, specialized training, or interests you have which are applicable to the board or commission for which you have applied. (If possible, please attach a copy of your resume):

I am a retired educator, having served as a high school teacher for 28 years, a high school principal for 5 years, headmaster of a private school (K-8) for 2 years, and an adjunct instructor at WSU. I am fully licensed for all of those positions.

Resume
 No file chosen

Please explain why you want to be a board/commission member

Now that I am retired, I have time to serve the community where I have lived my entire adult life and raised my children. My grandchildren are now Beavercreek kids.

Please list present membership in any community service or civic organization, of any.

I am presently not involved, as my career took so much time. I did, however, complete the first Citizens' Police Academy.



**AGENDA
CITY COUNCIL
Work Session – September 19, 2016, 5:00 p.m.
Council Chambers**

1368 Research Park Dr
Beavercreek, Ohio

- I. CALL TO ORDER
- II. ROLL CALL
- III. APPROVAL OF AGENDA
- IV. DISCUSSION ITEMS
 - A. Critical Incident Overview
- V. INFORMATIONAL ITEMS
 - A. Lofino Plaza Update
 - B. Medical Marijuana
- VI. COUNCIL COMMITTEE/EVENT UPDATES
- VII. ADJOURNMENT

DRAFT



CITY COUNCIL
Regular Meeting – September 26, 2016 6:00 p.m.
Council Chambers

- CALL TO ORDER
- I. ROLL CALL
- II. PLEDGE AND PRAYER/MOMENT OF SILENCE – Council Member Litteral
- III. APPROVAL OF AGENDA
- IV. APPROVAL OF MINUTES
- V. PRE-SCHEDULED PRESENTERS
 - A. Douglas Knight, Commissioner, CALEA (The Commission on Accreditation for Law Enforcement Agency)
 - B. Gussie Jones, Owen's Place
- VI. ORDINANCES, RESOLUTIONS AND PUDS
 - A. Ordinance 16-20 PUD 16-2 Creekstone (Third Reading)
 - B. Ordinance 16-22 Repealing Current Section 132.13 "Panhandling" and Adopting New Section 132.13 "Panhandling" (First Reading)
 - C. Ordinance 16-23 Repealing Current Chapter 112 "Peddling, and Soliciting, and Distribution" and Adopting New Chapter 112 "Peddling, Soliciting, and Distribution" (First Reading)
 - D. Ordinance 16-24 Repealing Current Section 70.01 "Definitions" and Adopting New Section 70.01 "Definitions" (First Reading)
 - E. Ordinance 16-25 Repealing Current Section 76.99 "Penalty" and Adopting New Section 76.99 "Penalty" (First Reading)
 - F. Ordinance 16-26 Adopting New Section 76.17 "Parking of Large and Oversize Vehicles on Streets (First Reading)
 - G. Resolution 16-___ Accepting Amounts and Rates and Certifying them to the County Auditor
 - H. Resolution 16-___ Agreement with ODOT for Bridge Inspections
- VII. LIQUOR PERMITS
 - A. Chipotle Mexican Grill of Colorado LLC (New)
- VIII. CITY MANAGER'S REPORT
- IX. MAYOR'S REPORT
- X. COUNCIL TIME
- XI. CITIZEN COMMENTS
- XII. ADJOURNMENT

PLANNING DEPARTMENT STATUS REPORT
September 8, 2016

CITY COUNCIL

September 12, 2016

- PUD 16-2 Creekstone, A-1 & R-1A to R-PUD, public hearing, second reading
- PUD 16-1 Cottages of Beaver creek, A-1 to R-PUD, third reading
- PC 16-4, Zoning Code Update (chickens), first reading

September 26, 2016

- PUD 16-2 Creekstone, A-1 & R-1A to R-PUD, third reading
-
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Tabled / Delayed / Pending

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PLANNING COMMISSION

October 5, 2016

- PUD 91-2 MOD 9/16, BSM Development, public hearing
-

Currently Tabled / Delayed

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Commercial Permits Submitted and Under Review

- Beavercreek Retail
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BOARD OF ZONING APPEALS

October 12, 2016

- V-16-4, 4073 Dayton-Xenia Road
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Currently Tabled or Delayed

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